

SOUTH JORDAN CITY
COMBINED CITY COUNCIL AND
REDEVELOPMENT AGENCY MEETING

August 1, 2023

Present: Mayor Dawn Ramsey, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Tamara Zander, Council Member Jason McGuire, City Manager Dustin Lewis, Assistant City Manager Jason Rasmussen, City Attorney Ryan Loose, Director of Recreation Janell Payne, Fire Chief Chris Dawson, Director of Planning Steven Schaefermeyer, City Engineer Brad Klavano, Director of Public Works Raymond Garrison, City Recorder Anna Crookston, Police Lieutenant Rob Hansen, Director of Administrative Services Melinda Seager, Director of Commerce Brian Preece, CFO Sunil Naidu, Director of Strategy & Budget Don Tingey, Communications Manager Rachael Van Cleave, GIS Coordinator Matt Jarman, Senior IS Tech Phill Brown, Meeting Transcriptionist Diana Baun, Planning Commissioner Laurel Bevans

Absent:

Others: Representative Susan Pulsipher, Doug Young, Cory Shupe

6:59 P.M.
REGULAR MEETING

A. Welcome, Roll Call, and Introduction to Electronic Meeting - *By Mayor Dawn Ramsey*

Mayor Ramsey welcomed everyone and introduced the meeting, apologizing for the late start of the meeting.

B. Invocation— *By Director of Strategy & Budget Don Tingey*

Director Tingey offered the invocation.

C. Pledge of Allegiance – *By Fire Chief Chris Dawson*

Chief Dawson led the audience in the Pledge of Allegiance.

Council Member Marlor motioned to amend tonight's agenda to replace the current presentation listed under Item G with a project discussion continued from the earlier Study Session. Council Member Zander seconded the motion; vote was unanimous in favor.

D. Minute Approval

D.1. July 18, 2023 City Council Study Meeting

D.2. July 18, 2023 Combined City Council & Redevelopment Agency Meeting

Council Member Marlor motioned to approve the July 18, 2023 City Council Study Meeting as published and July 18, 2023 Combined City Council & Redevelopment Agency Meeting Minutes as published. Council Member Harris seconded the motion; vote was unanimous in favor.

E. Mayor and Council Reports

Council Member Brad Marlor has been working with a familiar developer over the last few weeks. He has family here in the chambers this evening and he introduced them. He shared personal photos from the past few weeks and shared that a piece of land just beyond his office window is on the Planning Commission agenda, being proposed as overflow parking area for the East Indian Temple.

Council Member Patrick Harris attended the South Valley Chamber Barbecue held in South Jordan, as well as other events including one at the Glenmoor Golf Course. He talked about the Junior Golf Tournament held at Glenmoor and the amazing talent from all over the world present. Its clear Glenmoor continues to attract tournaments and other events, which not only brings in revenue for the golf course, but brings in tourism money for the city as well.

Council Member Don Shelton went backpacking just after the last City Council Meeting and talked about that experience. He attended the July 24 celebration at Glenmoor Golf Course with his family. He was able to schedule a tour of Station 64 for his family visiting from out of town and thanked the staff there for that experience. He has been working with staff on some issues with park strips. He shared an idea brought to him by a resident, the idea of a mirror on the trail off 4800 west, coming up to the culvert where there is a sharp turn, since the traffic there has increased greatly.

Council Member Tamara Zander noted that she is a constant visitor at the County Recreation Center off Redwood Road, where the pool has been closed for months. The pool is finally open again and staffed for use. She was able to volunteer at the Old Testament Tabernacle display in the city, its last day here is tomorrow. She attended a friend's wedding reception at the Glenmoor outdoor reception area and it was lovely. She thanked Doug Young for the improvement to the site, it was wonderful to see. She had the husband and wife residents who own Sego church, which is centered in Daybreak, meet with her to get help finding ways to serve in the city. She suggested discussing the idea of a service committee, who could coordinate service opportunities for those interested. She also had a resident asking about recreation committees and how they can get involved. She discussed the successful committees we currently have, and asked the council to consider whether they might have room for others.

City Manager Dustin Lewis noted there is Service 211, which works with those both needing and wanting to provide service in the county. He also mentioned JustServe, which is a way to match people with projects. In terms of recreation committees, Bingham Creek has a board that would

make the decision on something like that, but they can look at other programming areas to see what might be appropriate.

Council Member Zander said she has had many people reach out about accessibility to pickleball at Highland Park. It's so in demand that some are playing again and again, having figured out how to dominate the courts and not allowing others to play. She is not sure how the city could address that, but it's definitely an issue. Other cities have pickleball rules that are followed, but our rules are just not being followed by those using the courts. Lastly, another resident asked her how they can get updates on what's being built in their area when they see development happening.

Council Member Jason McGuire attended the Scarlett Pimpernel production sponsored by the Art's Council, and attended the fireworks show at Glenmoor Golf Course which was a great community event. He and the chair of the Bingham Creek Regional Park Authority met with Doug Young to discuss some park ideas he had.

Mayor Dawn Ramsey attended the Show Up for Teacher Conference supported by Abby Cox where Arthur Brooks was a guest speaker. The Mayor of Alta hosted the Council of Mayors Meeting, where they met under an outdoor pavilion and had a great meeting with some very important work being done. At the COG Meeting they approved unanimously the Winter Overflow Shelter Response Plan for Salt Lake County. There is still a lot of work to be done on that, but she applauded the mayors of Salt Lake County for coming together to do that. She attended the Scarlett Pimpernel on opening night and it was fantastic. She attended the South Valley Chamber Barbecue and the Junior AJGA tournament at Glenmoor Golf Course. She also wanted to mention the passing of Otto Jones, who has been a notable member of our community for a long time. There will be a celebration of his life on Thursday at the Jenkins Soffe Mortuary, and she sent the family love and condolences on behalf of the city.

Representative Susan Pulsipher was invited forward by Mayor Ramsey. She didn't have anything specific to report on or share, but thanked everyone as she loves representing South Jordan.

F. Public Comment

Mayor Ramsey opened the public comment portion of the meeting. There were no comments, Mayor Ramsey closed the public comment portion of the meeting.

G. Discussion Item

G.1. Council discussion with Doug Young as a continuation of an item from tonight's previous Study Session.

Planning Director Steven Schaefermeyer gave a brief review of what was discussed in the Study Session and what staff and the applicant are hoping to get from the council tonight.

Doug Young noted that while working with the property, their vision changed when U-111 was changed. Does the City Council want to have a continuation of a Daybreak-type project on both sides of U-111, small houses with townhomes and a trail system going through, or do they want a city center with all types of commercial. The density difference needed is about three units to the acre to create the housing required to make the commercial center viable and successful. His vision is to do an amazing park, retail center, and carry the same vision from Glenmoor right into this project with a modern timber architectural look. They just have a bigger vision for the property now than what was initially laid out when U-111 was clear to the west side of it. This is so much more viable for the city, and is not easy to do. They have done the economic studies, which say as soon as the road is in it will accommodate a large retail center. The project as it sits now will generate over \$1.6 million in tax revenue to the city. It's eight miles away from all the car lots, and they know car dealerships and the like can come up there. They know undoubtedly the new U-111 will turn into a road similar to Bangerter in the future, and they sit right in the middle of all the new annexed property; this is the new city center for South Jordan on the west bench. Is this what the council envisions for the city, or would they like to revert back to the single family with some townhomes; do they want a subdivision or a town center.

Council Member Marlor asked where on the map (Attachment A) he would see car dealerships being placed.

Mr. Young pointed that out on his map from Attachment A and discussed why it was a good place.

Council Member Marlor is intrigued with the development and opportunities. He really likes the opportunity of enhancing the type of commercial being envisioned there. It's a very positive tax base for the city, and there will be a lot of residents who will need all those varied services; it makes sense to him and he believes there is some logic in having a little bit more density in that area. He supports a little higher density for all the things that have happened and been changed, and all that has been contributed there.

Council Member Shelton noted that the property to the west that has been annexed in to the city may never develop, or it may be a very long time. In his mind, that leaves the question of whether this is viable if that doesn't develop.

Mr. Young responded that is why they put the density where they did, because they don't know when that will develop, and it is why they needed the additional rooftops in that area for this to be a successful retail center. He knows they will fix that intersection up there, tying it into U-111, similar to what he has already shown. He is looking at this property futuristically. He has been told he can put that U-111 in and a retail store there, so they're talking about something that could be done in the next five years. They doubled the minimum commercial on this project, noting that Daybreak has a maximum but not a minimum. He is absolutely confident, with his experience in the retail business, that this will be the new west bench. He started developing land out here when Bangerter wasn't even there, back in the 90s, and those experiences are the reasons why they designed this the way they did. He confirmed that the commercial there would still be viable, even if the other land doesn't develop. Fifty to 60% of the commercial would be

in there, and when Daybreak does go in on the other side of it, that will pick up the balance. Everyone coming up 11800 South or South Jordan Parkway will have to travel through that commercial center.

Council Member Shelton asked about Mr. Young's areas of future development, with much of it bordering Daybreak. He assumes that will be blended in, carrying a similar feel to what is there.

Mr. Young responded the only difference will be a percentage of the homes and buildings in a more modern mountain architecture. They are planning to embrace the craftsman architecture in Daybreak and carry similar density in the adjoining areas. There will be rear load products on the smaller "major" roads as well, which will have a similar streetscape to that in Daybreak. There will also be all ability homes and communities surrounding the land they are planning to donate for an all abilities school, which means parents can live in a townhome that meets their children's needs and walk not only to the school, but to an all ability park nearby with additional access to the commercial center. He would love to go forward with this vision and work with the council, filling in the details over time. He would like to get this done this year, they are excited about it and trying to do what's best for the community. If he just wanted to make money, the easiest thing to do is houses and townhomes, but the city would lose a lot that way.

Council Member Shelton asked to confirm that if this plan were to go ahead, it would allow the city to close out the agreement on Glenmoor.

Mr. Young responded that yes, that would be closed and the units transferred to this project.

Council Member Shelton asked if Mr. Young was looking for 8.5 units per acre.

Mr. Young responded yes, the additional half unit per acre is essentially the Glenmoor units.

Council Member McGuire wonders about the long-term market saturation. They could open this up, be the new shiny object where restaurants want to come, but then Olympia will be opening along with the CenterCal project still being there with the Daybreak Downtown still going.

Mr. Young noted that he controls most of those centers, and he has a bigger vision for 10600 South that he hasn't brought before the council yet. He will be orchestrating this, making sure it is a big time success for the community. They can create the housing, and people are coming from all over to this state. There is a small issue right now with the interest rates, but this is affordable housing including housing for special needs kids; around 160 units will be affordable housing and they plan to address both the affordability issue and access issues with this project. This will be something like they have never seen before, with the great thing being that they have taken a piece of property that was worth absolutely nothing and remediated it, which is something that has never been done before.

Council Member McGuire is extremely thankful for that work Mr. Young has done, as prior to his ownership Council Member McGuire just assumed that would sit vacant as a toxic area. Overall, he thinks there is room for discussion about increasing the density; that whole corner

has changed drastically since the initial discussions due to the re-routing of U-111 and the annexation.

Mayor Ramsey asked some clarifying questions about notations in a specific area labeled as a BRT on the images from Attachment A.

Mr. Young responded that when they do a BRT, the requirement is 40 units to the acre. The HTRZ like the one done for the Miller Group is more like 50 units to the acre. With or without the BRT, that is the density needed in that area to make it a successful project. He added that those higher density areas average out to the total 8.5 units per acre, concentrating the higher densities in specific areas. He used the apartments on 10600 S and Mountain View Corridor as an example, and noted that they are 40 units per acre so this would be similar. The density has to be put in those specific areas, as it makes the commercial nearby successful; he noted that is why SoDa Row hasn't been as successful because they have office buildings with workers bringing their own sack lunches, those living in the townhomes aren't commuting close by, and you have to have a grocer because people go there three times a week. He discussed his economic studies, talking about how the WinCo he put in does \$50 million a year, making it more like a small Costco. Those doing his economic studies also did the studies for the WinCo, so if they are telling him a store in that area will do \$700,000 a week, he will believe it. This isn't just a shot in the dark, he does all the studies and background work that needs to be done to make it successful.

Mayor Ramsey asked who Mr. Young has spoken to with UTA about a BRT, as that is something the city has yet to be successful doing.

Mr. Young noted that Director Schaefermeyer pointed that out to him this morning, but asked the council to think about what has happened here in the last three years; eighty million dollars has come to realign U-111, and when he met with UDOT they asked him how in the world those roads even happened; they weren't on any drawings or in anyone's mind that it would happen. He has the commitment already, that road is going in and will be started in 2025. He has talked with Brad Wilson and he has a big vision for this southwest quadrant, with Mr. Wilson noting that this project seems very viable. They want to do a BRT here, and the state doesn't want the same problem that's currently happening in Big and Little Cottonwood Canyons; they want Trax, transportation and don't want to forget about the southwest quadrant. Everyone loves South Jordan, it's easy to talk to Brad Wilson about the city; he is UDOT's boss, and UTA is under the direction of UDOT. He knows Brad loves this area, and while he doesn't like dropping names, he was asked a direct question and this is why he is absolutely confident he will get a BRT here, as well as in Olympia. He wants to circulate this traffic to the ball stadium and the fine arts center going in down there. Glenmoor is a trophy, the equestrian center is a trophy and becoming more and more of one; this project is going to be a trophy for South Jordan, and it will control the entire southwest quadrant, more so than Olympia. He has three land planners wanting to be a part of this, Director Schaefermeyer will keep him in line, and he is hoping to go forward on this.

Council Member Zander asked where they were planning on placing the special needs school.

Mr. Young pointed that out on the map in Attachment A, noting that he is also hoping for a bridge there to allow pedestrian access to the commercial center. That will be an absolute must, and a part of the Bonneville Shoreline Trail System.

Council Member Zander asked if Mr. Young had gotten any word from the Jordan School District that they are on board with the plan for the school.

Mr. Young had a preliminary discussion with Scott Thomas about it. His group did the Kari Sue Hamilton School, and it has been very successful. He mentioned this school because he became aware of the need for children ages 1 through 6, and he asked Scott if this would be a good thing in that area. Mr. Thomas mentioned it would be a good thing, and that it would be very helpful. This is what he wants to do, and once you start giving money and land for facilities like this, they come.

Council Member Zander asked what Mr. Young means when he says he wants this done this year.

Mr. Young responded that he would like to see approval in 2023. He has worked with this council for a while and he knows some are retiring, but they've worked so well together in the past that he'd like to do the same with this project.

Council Member Zander asked to discuss his previously mentioned 150-160 affordable units, asking if those were intended to be owner occupied or rentals.

Mr. Young responded that they have a process that makes owner occupied available to affordable housing, and he can share some of those details. They also have for rent options, and they've created their own affordable housing without state subsidy which is something he'd love to share with the council in the future.

Council Member Zander asked how much of the project would look like the previously referenced high density apartments off 10600 South and Mountain View Corridor.

Mr. Young said these will have a nicer look than what's there, and that type of density building will be intermingled and more blended into the community. They know where the traditional commercial will be, but it's hard to identify exactly where the commercial will be at this stage; they have to tie the commercial to the density. He discussed some renderings from Attachment A and some options for where retail/commercial could go.

Council Member Zander asked about the brown patches outside of the 50 acres shown to the council, and if they would not have that same kind of density.

Mr. Young responded that is correct. Where they are up against Daybreak they have a trail that goes clear across the whole property, they are picking up every trail Daybreak has and sending it to the planned large park. It will also be lighter density in those areas, with townhomes for

example around the special needs school to accommodate couples with children needing full ADA accessibility.

Council Member Zander noted that Mr. Young has demonstrated, in several different locations, to this council his intentions to do good, and she appreciates that. She came to this meeting uncomfortable, but she sees some of his vision and what he is trying to accomplish here.

Council Member Harris asked about the potential breakdown between owner occupied units and rentals.

Mr. Young responded they haven't really determined that yet. There will be a fair amount of owner occupied, but there will also be a fair amount of for rent products. He likes for rent for a couple of reasons, he can control who comes in and goes out as he maintains ownership and control of the buildings. He likes to control them, but the owner occupied is also very important with the HOA being very strong. He is also planning to adopt a program where a percentage of money from every sale of the homes is held into an escrow or committee that reinvests into the community, similar to what Daybreak does. He wants to preserve this long-term.

Council Member Harris would like to eventually know more details about the density in the lighter areas, where they plan on those numbers falling.

Mr. Young said there will be single family detached, similar to what's in Daybreak with single family detached with some townhomes in their own little communities. The town center, once the other side of the street comes online, will become one of the four corners when Kennecott begins. They are fighting quite a few things with this project including U-111, power lines being placed along the area, a condemnation of a power substation, as well as dealing with a power corridor. They will be allowed to develop along the power corridor, and that was sold to the power company with the condition that they can do trails systems and other similar items underneath.

Mayor Ramsey chairs the Wasatch Front Regional Council and she has been looking at the Regional Transportation Plan maps, at this point there is not a bus rapid transit in the plan for the next 30 years, but she will do some more research and see what else she can find. It is a process to make that happen, and no one can make that happen unless it's approved from the transportation committee, which will not approve anything unless it's in the Regional Transportation Plan. WFRC will look at this again, do an evaluation to determine whether it needs to be added; no BRT will happen unless it's in the plan, so she'd like to get some commitments from partner agencies overseeing things like this. She doesn't want the council to make a decision to change what's already been approved here without more commitments to assure that what they are basing their choice on is actually a possibility. That needs to start with WFRC, looking at the data and then talking to UTA. She loves the school idea, and would love to get some feedback from the school district that they will add that to their plan. Changing the overall density after the infrastructure has already been approved and planned for is a big deal, and before that decision she'd like to have a little more concrete information that their partners are in agreement. She feels like making that decision right now would be a monumental decision

without knowing what can or will actually happen. This is not a no, she just wants more information and to have more conversations before changing the density and knowing all of these great ideas can actually happen.

Mr. Young agreed this wasn't on any maps, it would take an enormous amount of time to get this on the map. He has designed something here that will be successful with or without the BRT, but he is confident they can get the BRT. If the city would like to have a town center like this, these are the things he needs to make it successful. If they don't want to have that, and have only a subdivision, he can do that; he would be sad, but there is no way the city would get satisfaction from any entity on the BRT since it takes time to do that. It has taken him three years to get \$80 million approved on the roads out there; that didn't just happen. They are talking about an extra 600-700 units here, and the infrastructure in this area will handle that; they have already done the studies on that. It is a little bit different than what anybody envisioned here, nobody envisioned anything here, because it was belching out gasses.

Mayor Ramsey noted that she can appreciate the value of commercial anywhere and everywhere, she doesn't think they get enough people that want to put in commercial development because housing is so easy. There are a lot of factors being considered for this project, a lot of things being proposed, that might not even be able to happen. It does take time, and she'd love to look at the infrastructure studies because she lives out here, she knows what the impact of 600-700 units will be. It might not sound like a huge difference to him, but if you add in everything else around the area being planned it is much more; she trusts data and would love to see that information.

Council Member Marlbor noted that when the council planned the entire Daybreak area, they were hoping there would be a tangible mix of commercial development; unfortunately, that hasn't been built out at all close to what they were hoping. He thinks some of it will happen with the Larry H. Miller Group, and he is very supportive of what he sees here, because he thinks there is a good mix of commercial being added. He would hate to lose that commercial, as it will go somewhere else, and he would feel badly if we missed out on that commercial opportunity. Without more commercial near the retail he doesn't think the car dealership makes a lot of sense, but that mix really brings a lot to the table for the city. He is comfortable with the eight units, and the other half an acre being added from Glenmoor. He thinks Mr. Young and his team will have to go to bat and figure out how to make some of these things work, but if anyone has done it in the past, Mr. Young has, and he appreciates that.

Council Member Shelton empathized with the mayor's concerns about the additional impact right near her home. He also appreciates what Mr. Young has done for our city, and he thinks he deserves much more than just the Corporate Citizen's Award, preserving Glenmoor and turning it into what it is; Mr. Young has proven to Council Member Shelton that he can trust him. The remediation of this property on his own dime, then the things he is doing for the high school continue to prove that. Council Member Shelton appreciates that some of the things being shown are aspirational and not on a plan already, but he is at a place where 8.5 units per acre is acceptable and he thinks Mr. Young can work with staff and others to create a plan that will be great.

Council Member Harris noted that with Daybreak still growing and the recent Rio Tinto annexation, he wants to make sure that the density is done right and that everything will work out okay. He thinks there is value in communicating with the nearby developers, and that adjacent projects could complement each other rather than competing against each other. There are a few things that look slightly duplicative to him, and he asked Mr. Young if he has thought about communicating and finding a way to be complementary and being more successful by working together on concepts and ideas.

Mr. Young responded that the Miller Group's supported retail and what he is seeing going in around the ball stadium will not be competing with his projects; they do a totally different type of live-work commercial project based on what he has seen. He is confident with his studies that his project will be successful in this location, even though it could be years before the west side develops. He is always aware of what's going on around his projects, and he is very confident with what they are going to be doing on 10600 South. There will always be a little competition, but there will be a lot of people moving to the southwest quadrant and he feels very comfortable with the plan they have here.

Council Member Zander asked for the density approved on Olympia.

Mr. Young responded it was approved for 6.8 units per acre at the final approval, and they fully plan on doing a BRT there, designing the corridors to handle Trax or BRT for transportation. His hope is to loop the southwest quadrant up 11800 South with BRT, since they won't like coming up South Jordan Parkway with the roundabouts, and have it done down 12600 South. They are envisioning a lot of bus routes out here to get into places like Butterfield Canyon. There is a lot of commitment to that, lots of people don't want the same issues like they have in the Cottonwood Canyons. The only way to avoid that is to get ahead of it now. They won't even approve a BRT here without the zoning in place. That means he designs this so a BRT can go there in the future, which is the reality since they won't even look at it without the correct zoning.

Council Member Zander said this council has approved 8 units per acre on tiny, small parcels, and she recognizes that this parcel is smaller than Daybreak's at 5.5 units per acre. She is struggling with a few things, like the commercial development; she thinks that is important and valuable, and she likes that there is a grocery store in there, as that is not something slated in other developments seen so far on the west side. There is another piece of his development that looks like a mirror of something possibly being looked at by Downtown Daybreak so she'd like to see him bring some collaboration there. She liked what Council Member Shelton said, Mr. Young has proven to the council that he has heart and is trying to do what's right by the city. She thinks he can understand the uncomfortable feeling they have, this is a lot of density in a small area, and she concurs that for him to get the commercial development viable he has to have some density. She knows Downtown Daybreak is going to be far more dense than 8 units per acre to support what they have coming. She is in favor of looking at this, keeping the conversation going, and she would ask if he could potentially maintain the commercial development but pair down on some of the density. She knows he will push the numbers, but the council members are

the ones accountable to the residents. This is her district, she is torn between whether her residents will come to her and be glad they brought a park, connectivity and trails; or, if they will come to her and complain about too much density, that's the balance she has to answer for to her constituents. She does see the value in this. She feels good about where this is headed, just asked to have him look at it again and see if there could be some backing off to density to still make it work financially.

Mr. Young believes he is beyond the financial part at this point in his life. He has worked this with three different planners in and out of state, trying to minimize the amount of density that needs to happen to make this a success. If they can't do this, he understands that, but he can't have a successful retail center without bare minimum what he's asking for. He didn't come in with 12-15 units, he has done the backwards work on this to see what he needed.

Council Member Zander loves the idea of this commercial development, she is completely in favor of the tax base. If they were to give feedback tonight, she would like to continue looking at this and making it come together. She noted that when Daybreak was sold to Varde they just threw in housing, which did nothing for the community or tax base; it did nothing long-term for anybody. She appreciates developers like him that want to put in something that's going to help with the tax base, bringing some commercial development. For those reasons she is in favor of continued conversations on this.

Mr. Young admitted that he does sometimes get frustrated because he doesn't want to work on a project that looks like what Varde did in Daybreak. They would like to go forward with this vision, and he believes that in the next three months they can get the council comfortable with the vision and enforce it with commitments to acreages, realistic timelines, etc. He talked about the potential for car dealerships and noted that he just wants to preserve the ground for the future. He is confident the school will happen, and it will be amazing.

Council Member McGuire said overall he likes the proposal, he thinks it will fit. The Downtown Daybreak will overlap into the west side of Daybreak to some extent, but he really sees that as feeling more eastward in terms of needs and demands. As that west bench develops out, there is going to be a need for an additional type of retail center out there, which means he doesn't believe Mr. Young is too far off in his vision for the area. He asked for the calculated open space estimate.

Mr. Young said it will be well in excess of the 20% minimum, with actual usable space.

Council Member McGuire is more tolerant of the higher density, but he is still struggling with going from 5.5 units up to 8.5. He knows Mr. Young has run the numbers, but if there is a way to bring it down to eight he would appreciate that. He has the same concerns as the mayor, regarding the infrastructure. He asked if Mr. Young was willing to preserve the right-of-way indefinitely in terms of future transportation.

Mr. Young said yes. He has had conversations with Kennecott, who wants to see it as well, and he thinks they can help get this to the end. They also want to share a BRT line with him on this

project, and Olympia is already preserving their space. He noted that 11800 South is already 120 feet wide, as is 12600 South, so those are already preserved down to Mountain View.

Council Member McGuire is in favor of them continuing discussions and seeing what they can work together to accomplish.

Council Member Marlors noted that Mr. Young owns a lot of property in that corridor, and if you think about it he is not going to cannibalize in other areas his own projects. He has done it right in every other area and every other way the city has asked him to do.

Mayor Ramsey reiterated how thankful she is for the amazing work Mr. Young has done in the city, and that she agrees the retail/commercial area out in this new area will be needed without question. To her, it sounds like everyone is supportive and encouraging him to keep moving forward. She also clarified that this project is technically 8 units per acre before factoring in the 72 units being moved from Glenmoor.

Attorney Loose noted that is correct, those 72 units should be considered separate from the density discussion since they are being transferred from another project. Regarding Mr. Harris' comments about being arbitrary, with different landowners, different densities and consistency. There is precedent as to what the council is doing with large landowners, but Rio Tinto's newly annexed property and the Daybreak development are both in a PC Zone, which requires a minimum of 500 acres. There is also the PD floating zone, which is what this application is for. The council has approved the 8 units per acre density on PD Floating Zone projects in the past, multiple times. This is much larger than the other projects, but it is the same zone.

Mayor Ramsey thanked Mr. Young again for all his groundbreaking work on this land with the remediation.

Council Member Marlors noted that some of the council members were comfortable with the density, but he wonders if they actually gave Mr. Young the thumbs up from a density standpoint.

Council Member Shelton is comfortable with the proposed density.

Council Member Marlors is comfortable with the density as well. He agrees with the other voices on the council that there is still a lot of work to do on both sides.

Council Member Harris said a lot has changed that he is trying to evaluate, he can't evaluate this whole project that quickly to give a decision. He wants to look at it, talk to staff and others to get questions answered. That being said, he is not a "no" vote either, as he does want to do some more research and get more information. He is interested, and thinks we do need commercial out in that area.

Council Member Zander is comfortable with moving forward at the 8 units per acre plus the 72 units. Everyone in the city will love the connection of Bike trails to the canyon.

Council Member McGuire is okay with the 8 units per acre plus the 72 units.

H. Action Item

H.1. Resolution R2023-38, Providing Notice of a Pending Land Use Ordinance to amend the Planned Development Floating Zone in Section 17.130.050 (*By Director of Planning Steven Schaefermeyer*).

Director Schaefermeyer reviewed background information from the Council Report.

Council Member Zander asked for clarification that a “yes” vote on this issue tonight is simply saying that she is agreeing to study potential changes.

Director Schaefermeyer responded that a “yes” vote on this means if an application comes in tomorrow for a PD Floating Zone, the option to push the council for over 8 units per acre is off the table. The applicant would then have the option to wait for the final decision, or try to get their project approved in the meantime at 8 units per acre.

Attorney Loose added the applicant could also propose to the council, through a text amendment, their own zone at a higher density with other requirements. The council is still the legislative body, but this gives staff more certainty when they sit down with applicants for the PD Floating Zone.

Council Member Harris motioned to approve Resolution R2023-38, Providing Notice of a Pending Land Use Ordinance to amend the Planned Development Floating Zone in Section 17.130.050. Council Member Shelton seconded the motion; vote was unanimous in favor.

Council Member Zander motioned to recess the City Council Meeting and move to a Redevelopment Agency Meeting. Council Member Marlbor seconded the motion; vote was unanimous in favor.

RECESS CITY COUNCIL MEETING AND MOVE TO REDEVELOPMENT AGENCY MEETING

I. Public Hearing Item

I.1. Resolution RDA 2023-05, Authorizing the Chair of the Board to sign the South Station HTRZ Participation Agreement (*By Director of City Commerce Brian Preece*).

Director Preece reviewed background information from the Council Report.

Attorney Loose added that the council packet included an earlier draft. Over the weekend there were additional negotiations and he highlighted some of those minor changes:

- Changed the term “vertical construction,” which means building the first four floors of vertical construction now count as qualifying for use of the tax money.

- The participant (Larry H. Miller Group) added two indemnity provisions, saying if they are audited they will take those risks on.
- The city is allowing the participant to trigger, with different parcels being allowed to trigger at different times.

Chair Ramsey asked if there was an amendment to the affordable housing reporting years.

Director Preece responded that the attachment is an example, the city is agreeing to agree on that later with 45 days to come to that agreement. There were a few other issues that need to be worked out, including a 7% interest the applicant wants to be able to draw. The city was nervous about the end goal and the applicant was able to explain this was a pro forma issue where they needed to be able to show to their investors and others that they were getting interest. The applicant can choose to record that interest in any way they choose for their bookkeeping.

Attorney Loose addressed the affordable housing, saying the city will do the tracking, probably with another entity that hasn't been decided yet.

Director Preece added that the city will track whether the applicant is on target with the 10.6% goal.

Attorney Loose noted that a large percentage of this will be rental, not ownership, which is typical in an urban center.

Director Preece said this will have a high cost to administer through the RDA, and the statute allows for the city to collect 1% of the increment towards those costs. That was discussed back and forth with the applicant and it was admitted that those costs will probably not be recovered in those first few years. The city will keep a running tally, and once there is a point where more money is coming in than the costs, they will cover those other costs. After that, once the city is made whole and the costs are covered with no profits, if there is additional money it will be remitted with other funds; that will be reconciled annually. The next step will be to go through the process with the CRA.

Chair Ramsey opened the public hearing for comments. There were no comments and the hearing was closed.

Board Member Shelton motioned to approve Resolution RDA 2023-05, Authorizing the Chair of the Board to sign the South Station HTRZ Participation Agreement. Board Member McGuire seconded the motion. Roll Call Vote was 5-0, unanimous in favor.

Board Member Marlbor motioned to adjourn the Redevelopment Agency Meeting and return to the City Council Meeting. Board Member Zander seconded the motion; vote was unanimous in favor.

ADJOURN REDEVELOPMENT AGENCY MEETING AND RETURN TO CITY COUNCIL MEETING

J. Staff Reports and Calendaring Items

City Manager Dustin Lewis reminded the council about the meeting invite to training with Laura Lewis next Wednesday. He welcomed Raymond Garrison as new Public Works Director, and Jason Rasmussen as the new Assistant City Manager.

City Engineer Brad Klavano shared that with barely any road paving projects last summer, staff is making up for it this summer. If there are any complaints or concerns, he asked the council members to let him know and his department will try and talk to them.

Council Member Shelton motioned to adjourn the City Council Meeting. Council Member McGuire seconded the motion; vote was unanimous in favor.

ADJOURNMENT

The August 1, 2023 City Council Meeting adjourned at 9:19 p.m.