



**NOTICE OF MEETING
OF THE
PLEASANT GROVE CITY COUNCIL**

Notice is hereby given that the Pleasant Grove City Council will hold a regular public meeting at 7:00 p.m. on Tuesday, August 7, 2007, in the City Council Chambers (south entrance), 86 East 100 South, Pleasant Grove, Utah..

AGENDA

1. **7:00 PLEDGE OF ALLEGIANCE**
2. **OPENING REMARKS**
3. **APPROVAL OF MEETING'S AGENDA**
4. **CONSENT AGENDA** (Consent items are only those which have been discussed beforehand, are non-controversial and do not require further discussion):
 - MINUTE REVIEW AND APPROVAL:**
 1. Joint City Council/Planning Commission Minutes for April 10, 2007
 2. City Council Minutes for July 3, 2007
 3. Work Session Minutes for July 10, 2007
 4. City Council Minutes for July 17, 2007
 5. To consider appointment of new member to the Historical Preservation Commission. (Kristy O. Tymon)
 6. To consider approval of paid vouchers (July 25, 2007)
5. **OPEN SESSION**
6. **NEIGHBORHOOD ADVISORY BOARD REPORT**
7. **BUSINESS:**
 - a. Oath of Office administered to interim council member who will serve until January 7, 2008 due to recent resignation of Council member Darold J. McDade. On January 7, 2008 the newly elected Council member from the November 6, 2007 Municipal Election will take office.
 - b. Public Hearing to consider an Ordinance in regards to amending Sections 10-14-15 & 10-14-27-1 through 3, of the Pleasant Grove Municipal Code, regarding setbacks & landscape buffering, in The Grove Zoning District.
SAM WHITE'S NEIGHBORHOOD
 - c. Public Hearing to consider John Shoell's request to vacate lot 6 of the Timpanogos Meadow Subdivision, Plat "A," and to create a 2-lot subdivision

known as Shoell Subdivision, Plat "A," located at approx. 73 East 1200 North, in the R1-8 (Single Family Residential, 8,000 sq. ft. lot area) zone.

NORTH FIELDS NEIGHBORHOOD

- d. Public Hearing to consider City Side Properties L.C.'s request for a condominium plat amendment to the Cityside Office Complex regarding two story above ground building elevations for property located at approx. 499 East 1000 South in the CS (Commercial Sales) zone.

STRING TOWN NEIGHBORHOOD

- e. Public Hearing to consider an Ordinance regarding a text amendment to Sections 10-9B "Medium Multiple-Residential (RM-7)" and 10-11D "Commercial Sales - 2 (CS-2)" of the Pleasant Grove City Municipal Code to allow home occupations as an accessory use to permitted uses in the zone. **CITY-WIDE IMPACT**
- f. Public Hearing to consider Ken Francom's request to vacate lots 1 and 2 of Sam White Park Subdivision, Plat "A," and to create a 3-lot subdivision known as Sam White Park Subdivision, Plat "B," located at approx. 822 South 490 West, in the MD (Manufacturing District) zone.

SAM WHITE'S LANE NEIGHBORHOOD

- g. Public Hearing to consider an Ordinance regarding Shirley Swenson's request to rezone a 3.62 acre tract of land from RR (Rural Residential, 21,780 sq. ft. lot area) zone to R1-20 (Single Family Residential, 20,000 sq. ft. lot area) zone for property located at approx. 301 West 2600 North. **NORTH FIELDS NEIGHBORHOOD**
- h. To consider Knight West Construction's request for final plat approval of a 5-lot subdivision with lots 1, 3, & 4 being flag lots, to be called Emily's Place Subdivision, located at approx. 800 North 100 East, in the R1-8 (Single Family Residential, 8,000 sq. ft. lot area) zone. **LITTLE DENMARK NEIGHBORHOOD**
- i. To consider Robert Jones' request for final plat approval of a 2-lot subdivision & twin home development to be called the RPJ Subdivision for property located at approx. 421 East 500 South in the R1-8 (Single Family Residential, 8,000 sq. ft. lot area) zone. **STRING TOWN NEIGHBORHOOD**
- j. To consider James Hancock's request for final plat approval of a 2-lot subdivision to be called Autumn Grove Subdivision, Plat "B," located approx. 1180 North 930 West, in the R1-10 (Single-Family Residential, 10,000 sq. ft. lot area) zone. (City Council had continued the item from the July 17, 2007 Council Meeting). **NORTH FIELDS NEIGHBORHOOD**
- k. To consider a Resolution authorizing the Mayor to sign a letter of support for the Provo Reservoir (Murdock Canal) Title Transfer from the Federal Government to the Provo River Water Users' Association.
- l. To consider approval of a Resolution authorizing the Mayor to sign an Assessment Agreement related to the Fox Hollow Golf Course Bond issue.
- m. To consider approval of a Resolution authorizing the Mayor to sign a Ground Lease Agreement for the Fox Hollow Golf Course.
- n. To consider an Ordinance amending Section 8-8-35, "Schedule of Use," making it unlawful to violate the watering schedule set for the Pressurized Irrigation System.

8. STAFF BUSINESS

9. MAYOR AND COUNCIL BUSINESS

10. SIGNING OF PLATS

11. REVIEW CALENDAR

12. APPROVE PURCHASE ORDERS

13. ADJOURN

*NOTE: If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City Recorder, 801-785-5045, twenty-four or more hours in advance of the meeting and we will try to provide whatever assistance may be required.

CERTIFICATE OF POSTING:

I certify that the above notice and agenda was posted in three public places within the Pleasant Grove City limits. Agenda also posted on City's website.

Posted by: Amanda R. Fraughton, City Recorder

Date: August 3, 2007

Time: 1 p.m.

Place: City Hall, Library and Community Development Building

CITY COUNCIL STAFF REPORT

Meeting Date: August 7, 2007

Agenda Item Number: 7-f

Issue: Hearing – Final Plat/Vacation proposal called the *Sam White’s Park Subdivision Plat “B.”*

Applicant: Ken Francom
Owner: Dale Warburton
Location: Approximately 822 South 490 West.
Zoning: MD/Manufacturing Distribution
Acreage: 6.36-acres.

Request: For the Council to grant approval to vacate lots 1 & 2 of the existing Sam White’s Park Subdivision Plat “A” in favor of three new lots known as the Sam White’s Park Subdivision Plat “B.”

Submitted By: Sean Allen, City Planner
Community Development Department

BACKGROUND:

The applicant would like to divide the subject property strategically to coincide with the existing buildings and future sale of the land. The owner (Warburton’s) have recently acquired a small piece of land, to the east of lot #1, and wish to also incorporate that into the new subdivision Plat as the new lot #1.

ANALYSIS:

Streets & Access:

Main access shall remain from 490 West, via 700 South. The 490 West roadway is completed down the length of the property, but it is not dedicated, so the applicant has agreed to dedicate, to the City, their half of 490 West.

General Plan:

The subject property falls within the *Light Industrial* land use designation, and the use of the property, associated with this plat proposal, is in compliance with this land use.

Final plat
Sam White Park Subdivision Plat “B”
Vacating lots 1 & 2 of Plat “A”
August 7, 2007

Engineering Review:

JUB Engineering has recommended the Council to proceed with an approval of the Final Plat, subject to meeting all Final requirements prior to recording the Plat.

Planning/Zoning:

Each lot within the zone must be a minimum 1-acre in size, and have a minimum width of 100'. The proposal meets the conditions and restrictions of the MD/Manufacturing Distribution zone, and complies with all Supplementary requirements.

The applicant is not to construct any permanent structures within the irrigation, drainage, or sewer easements. This has been noted on the Plat.

Planning Commission:

On June 28, 2007, the Planning Commission granted Preliminary Plat approval.

Support Materials:

- Zoning map.
- Aerial map.
- Subdivision Plat "A"
- Proposed Plat "B"

STAFF RECOMMENDATION:

Staff recommends that the City Council **APPROVE** the Final Plat proposal *Sam White Park Subdivision Plat "B,"* vacating lots 1 & 2 of Sam White Park Subdivision Plat "A;" located at approximately 822 South 490 West, for the applicant Ken Francom including the following conditions:

- 1. All final Planning and Fire Department requirements are met, and completed prior to recording.**

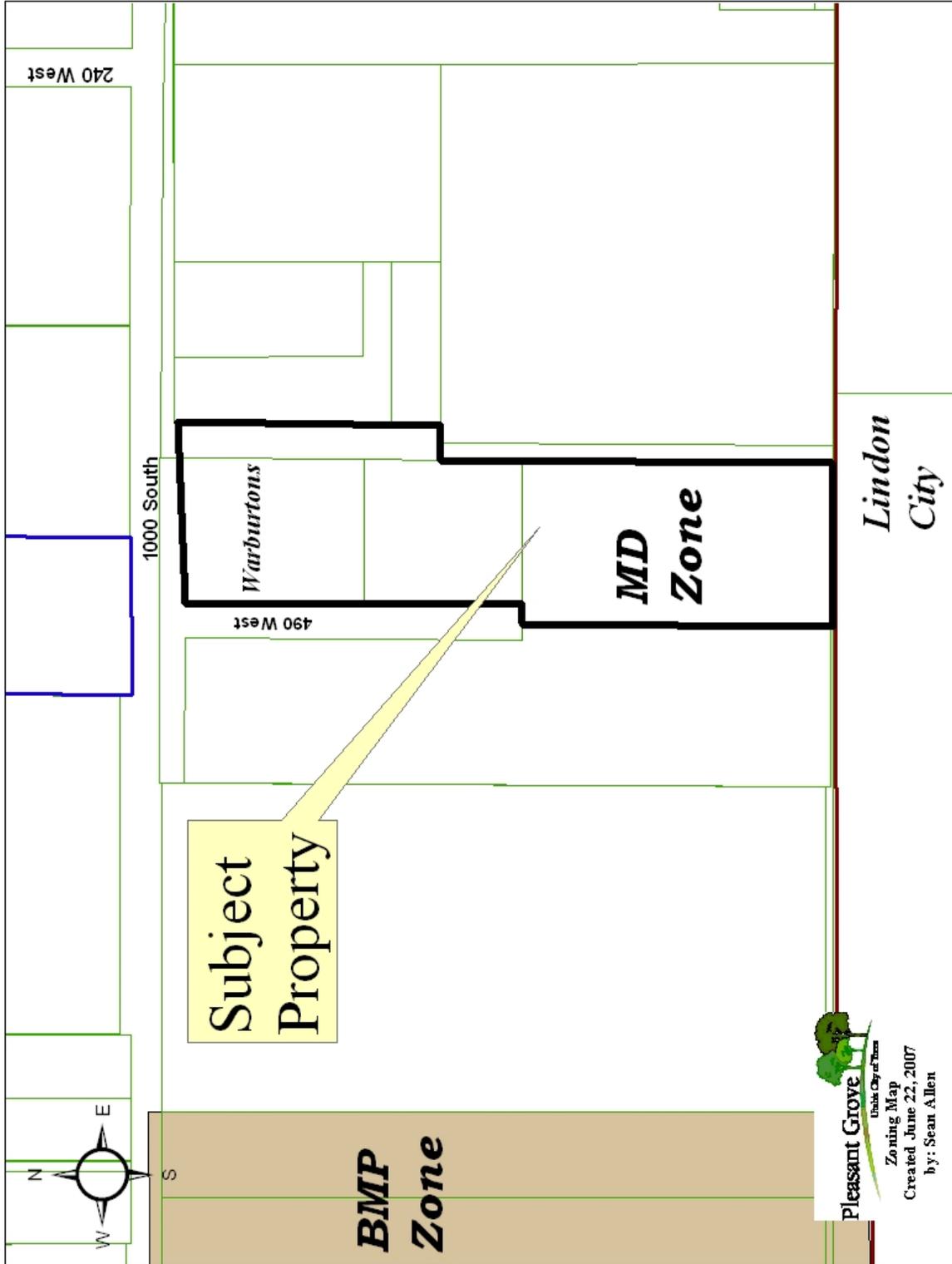
This recommendation is based on the following findings:

1. The proposal meets all the standard requirements for a Final Plat submittal in the MD zone.
2. The City will obtain additional roadway dedication of 490 West.
3. The proposal has been given a recommendation of approval from JUB Engineering.
4. The Planning Commission has granted Preliminary Plat approval.

MODEL MOTIONS:

- Sample Motion for Approval – "I move that the Council approves the Final Plat called, *Sam White Plat Subdivision Plat "B,"* vacating lots 1 & 2 of Sam White Park Subdivision Plat "A;" for the applicant Ken Francom, including the following conditions:
 1. List any additional conditions....
- Sample Motion for Denial – "I move the Council to deny the Final Plat called *Sam White Park Subdivision Plat "B;"* requested by Ken Francom, based on the following findings:"

1. List findings for denial...
- Sample Motion to Postpone – “I move the Council to continue the Final Plat proposal for *Sam White Park Subdivision Plat “B”* until (give date), based on the following findings:”
1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...




Pleasant Grove
 Think City of Trees
 Zoning Map
 Created June 22, 2007
 by: Sean Allen



**Subject
Property**

*Forrest Line
Construction.*



Aerial Map
Created June 22, 2007
By: Sean Allen

© 2007 Navteq
Image © 2007 DigitalGlobe

Google™

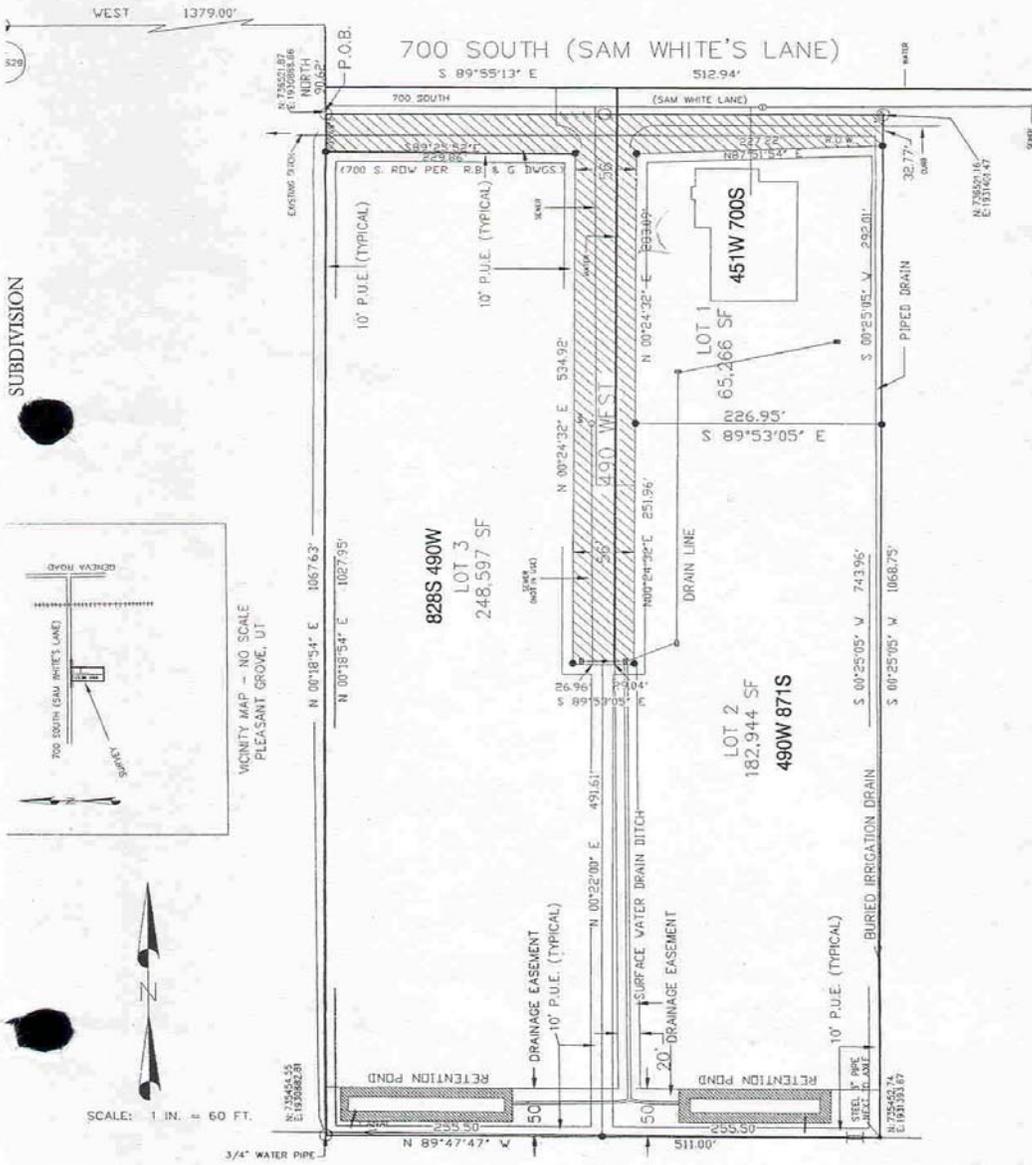
THESE LOTS ARE BEING SUBDIVIDED AS SHOWN ON THIS MAP IN ACCORDANCE WITH THE SUBDIVISION ACT AND THE ZONING ORDINANCE OF THE CITY OF LONDON, UTAH. THE TOTAL AREA OF THIS SUBDIVISION IS 1.00 ACRES (43,560 SQ. FT.). THE TOTAL AREA OF THIS SUBDIVISION IS 1.00 ACRES (43,560 SQ. FT.).

KNOW ALL MEN BY THESE PRESENTS, THAT I, the undersigned, do hereby certify that the above described lots are being subdivided in accordance with the provisions of the Subdivision Act and the Zoning Ordinance of the City of London, Utah.

STATE OF UTAH
COUNTY OF KANE
BY: *[Signature]*
PLA
APPROVED BY: *[Signature]*
CITY OF LONDON

AI
THE CITY COUNCIL OF LONDON HAS REVIEWED THE APPLICATION OF ALL STREETS FOR THE PROPOSED USE OF THE

[Signatures]
PLA
APPROVED BY: *[Signature]*
CITY OF LONDON



9552-108

DEVELOPER: DALE WAREHOUT
WARRINGTON, ALUMINUM
AREA OF DEVELOPMENT = 546,880 SQ. FT.
AREA OF ROADS = 50,080 SQ. FT.
NET AREA OF DEVELOPMENT = 496,800 SQ. FT.

Eickbush & Associates
329N 930E
LONDON, UT 84042
(801) 796-3828 (Bus/Fax)

Final plat
Sam White Park Subdivision Plat "B"
Vacating lots 1 & 2 of Plat "A"
August 7, 2007

ORDINANCE NO. _____

**AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH,
AMENDING TEXT IN SECTIONS 10-14-15, 10-14-27-1, 10-14-27-2, & 10-14-27-3
REGARDING SETBACKS & LANDSCAPE BUFFER REQUIREMENTS; PLEASANT
GROVE CITY (APPLICANT).**

WHEREAS, the legislative body has previously adopted ordinances intended to govern Setbacks & Landscape Buffers within the Grove Zoning District; and

WHEREAS, the legislative body has indicated a need for amendments to said ordinances to allow for a new Setbacks & Landscape Buffer standards, in favor of the current one; and

WHEREAS, on June 28, 2007 the Pleasant Grove City Planning Commission held a public hearing to consider the proposed amendments to the Pleasant Grove City Municipal Code; and

WHEREAS, at its public hearing the Planning Commission decided that the requested amendments to the Pleasant Grove Municipal Code are in the public interest and consistent with the goals and policies of the General Plan; and

WHEREAS, the Pleasant Grove Planning Commission recommended to the Pleasant Grove City Council that the amendments to the Pleasant Grove Municipal Code be approved; and

WHEREAS, on _____ the Pleasant Grove City Council held a public hearing to consider the request; and

WHEREAS, at its meeting the Pleasant Grove City Council was satisfied that the amendments to the Pleasant Grove Municipal Code are in the best interest of the public and consistent with the goals and policies of the General Plan.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Pleasant Grove City, Utah County, State of Utah, as follows:

SECTION 1. Section 10-14-15, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-14-15: LANDSCAPE AND BUFFER AREA REQUIREMENTS:

- A. Landscape Plan Required: A landscape plan is required for all developments. See subsection 10-14-5D4 of this chapter. Single-family residential lots are exempt from required buffers, but must still comply with building setback requirements.
- B. Yards in Sub-districts: The front, side, and rear yards of lots, in all sub-districts of the grove zone, shall be landscaped and properly maintained with grass, trees, shrubs, and other plant materials.
- C. Sub-district Landscaping Required: All areas in a development, within all sub-districts of the grove zone, not approved for parking, buildings, or other hard surfacing, shall be landscaped and properly maintained with landscaping materials approved in conjunction with a site plan or plat development. All landscaping plans are to be stamped and signed by a licensed landscape architect.
- D. Trees: A minimum of one tree per one thousand (1,000) square feet of required landscaped areas, within a project boundary, shall be required in all sub-districts of the grove zone, in addition to other trees required in this title. A minimum thirty percent (30%), of the total number of required trees, shall be evergreens. For minimum tree sizes, refer to section 10-14-17 of this chapter.
- E. Street Landscaping Buffers:
 - 1. Purpose: Landscape buffers are required in order to lend continuity among different architectural styles, establish a pleasing view for motorists and create safe and pleasant corridors for pedestrians.
 - 2. Applicability: Street buffers shall be required at all subdivision boundaries (i.e., commercial, industrial, office and residential, and all commercial, industrial and office developments). All subdivision street buffers must be on a common lot, maintained by a business owners' or homeowners' association, as applicable.
 - 3. Buffer Widths: The required width of the street landscape buffer shown in table 1 are as follows:
 - a. Entryway corridors: Pleasant Grove Boulevard and 2000 West;
 - b. Arterials: State Street, 700 South, Proctor Lane;
 - c. Collectors: 220 South;
 - d. Local roads: All other public and private streets.

TABLE 1. MINIMUM STREET LANDSCAPE

BUFFER AREA REQUIREMENTS

Type Of Roadway	Minimum Building Setback (Feet)	Minimum Street Landscaped Buffer Width (Feet)
Local roads (except in residential areas)	25	25
Collectors	25	25
Arterials	25	25
Entryway corridors	45 <u>25</u>	30 <u>25</u>
Interstate	50	40

Notes:

1. Building setbacks are measured from the foundation to the ~~property line~~ back of curb.
2. Open structures such as porches, canopies, outdoor seating areas, covered patios and similar architectural projections shall be considered part of the building to which it is attached.
3. All street landscape buffers ~~with attached sidewalks~~ shall be measured from the ~~property line~~ back of curb. A minimum five (5') wide landscaped park-strip is required between the top back of curb and the sidewalk.
4. All required street landscape buffers shall ~~be located beyond any street right of way and shall be~~ maintained by the property owner upon which the buffer lies.
5. Water features, utilizing the creative use of existing ground water, are encouraged, ~~and the design review board may recommend appropriate equivalent landscape units.~~
6. Consistent width ~~Varying width~~ of landscape buffers is highly recommended ~~encouraged but must average the required minimum landscaped buffer width.~~ but the developer may achieve this by averaging the minimum required width.
7. No fences over 3 feet are permitted within the street buffer areas.

~~8. The landscape buffer must be located on the property and may not include any paved surfaces with the exception of a pedestrian sidewalk, or pathway or as permitted in note 2 of this table.~~

9. Xeriscape is encouraged, to achieve more water-wise landscape designs. This type of design is to be submitted to the city by a licensed landscape architect, and must obtain approval from the design review board.

~~10. The landscape buffer, on the entryway corridors (Pleasant Grove Boulevard and 2000 West) can be measured from the back of curb if at least 15 feet of landscaping is located outside of the road right of way.~~

10. The required landscaped buffer width may be reduced no more than five (5) feet, by the City Council, if the developer has provided enhancements and exceeded the City's standard requirements for architecture, amenities, and landscaping for the overall project area.

F. Side And Rear Yard Landscaping Buffers:

1. Purpose: Without creating barriers, the purpose of landscaping is to physically separate and visually screen adjacent land uses that are not fully compatible. The grove district encourages a mix of land uses and does not rely on a traditional land use map with strict separation of land uses. The standards established below strive to allow maximum flexibility of screening and landscaping techniques while providing an appropriate buffer between dissimilar land uses.

2. Applicability: Side and rear yard landscaping buffers shall be required at all subdivision boundaries (i.e., commercial, industrial, office and residential, and all commercial, industrial and office developments). All subdivision buffers must be on a common lot, maintained by a business owners' or homeowners' association, as applicable. The design review board, planning commission or city council may waive the requirement for a rear yard landscape buffer on nonresidential projects, if appropriate.

3. Standards: To determine the size of the buffer or transitional yard, two (2) variables are considered: a) the nature of the adjacent land uses; and b) the type of buffering. The hierarchy of landscaping buffers is created to correspond to the degree of incompatibility. An "incompatible land use" is defined as one that is more intensely developed than its neighbors.

4. Land Use Intensity Classifications: There shall be no setback requirement between properties with the same land use. ~~five foot (5') on each side of the property line.~~ The recommended landscape buffer between residential and commercial uses will generally be twenty feet (20') or more, but if an appropriate fence is approved,

the minimum landscape buffer is five feet (5') on each side of the property line. The landscape buffer must be located on the property and may not include any paved surfaces with the exception of pedestrian sidewalks or pathways that cover less than twenty percent (20%) of the required landscape buffer width. The design review board, planning commission or city council may approve more or less buffer. (Ord. 2007-11, 3-6-2007)

SECTION 2. Section 10-14-27-1/Grove Commercial Sales Sub-district, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-14-27-1: THE GROVE COMMERCIAL SALES SUBDISTRICT:

D. Supplemental Site Design Standards:

1. Detailing: Architectural detailing shall be an important consideration for design approval. Attention to detail in architectural elements shall include, but is not limited to, walls, pilasters, parapets, cornices, columns, windows, doors, awnings, exterior lighting, eaves, colors and materials.
2. Facades: Building facades should include a repeating pattern incorporating a color change, texture change or material module change. Facades greater than one hundred feet (100') in length shall incorporate wall plane projections, or recesses extending at least twenty percent (20%) of the length of the facade.
3. Building Entryways: Buildings shall have clearly defined, highly visible customer entrances.
4. Accessibility: Shall be visually and physically accessible to the pedestrian at the sidewalk or plaza level.
5. Street Buffer Yard: The **total** street buffer yard area of ~~thirty feet (30')~~ shall be for pedestrian amenities, and the city encourages joint efforts between adjoining property owners. Suggested amenities include: public art, landscape treatment, seating, flower/shrubs/all tree displays in movable planters, outdoor dining, plazas, streetscape extension and bike racks.
6. Orientation: Shall be designed so that at least seventy percent (70%) of the building's ground level, street facing facades are constructed to be oriented to a public sidewalk or plaza.
7. Canopies: Canopies, awnings and similar appurtenances are encouraged at the entrances to buildings and in open space areas. Such features may be constructed of rigid or flexible material designed to complement the streetscape of the area. Any such feature may extend from the building to within two feet (2') of the far edge of

the sidewalk. Supports for these canopies are not allowed to extend over the property line.

8. Open Spaces: Open spaces such as plazas, courtyards, water features and arcades are encouraged. These spaces shall include seating and landscaping and shall utilize similar building materials to those used on the primary building.

E. Site Design:

1. Shared access to main corridors (Pleasant Grove Boulevard, 2000 West, State Street) is required. Side road access is preferred.

2. Dimensional standards:

a. Minimum lot area: None;

b. Minimum building setbacks:

(1) Front: ~~Fifteen feet~~ **twenty five feet** (~~15'~~ **25'**).

(2) Rear: **No requirement (0')**. ~~Match the setback required for adjacent land use.~~

(3) Side: **No requirement (0')**. ~~Match the setback required for adjacent land use.~~

(4) Side street: Twenty five feet (25').

c. For the minimum required setback distance between a commercial/office land use and residential, please refer to section 10-14-15/Item F of this title.

3. Maximum building height: Sixty five feet (65'), except that the planning commission may authorize heights up to a maximum of one hundred feet (100') through the issuance of a conditional use permit.

4. Required landscape buffers standards (see section 10-14-15 of this chapter).

SECTION 3. Section 10-14-27-2/Grove Mixed Use Sub-district, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-14-27-1: THE GROVE MIXED USE SUBDISTRICT:

D. Site Design:

1. Mixed Use Required With Residential Uses:

a. Residential uses must be developed as part of a mixed use development, which may include commercial (retail and/or office), civic or other nonresidential uses,

developed according to a master site plan approved by the planning commission and city council.

b. Multi-family residential portions of projects shall be subject to the requirements of section 10-14-11 of this chapter.

2. Multiple-Family Site Design:

a. The internal circulation system of multiple-family developments should be a continuation of the adjacent public street pattern wherever possible and should promote street connectivity.

b. In large scale developments, the vehicle circulation system should mimic a traditional city street network and break the development into numerous smaller blocks.

3. Commercial Site Design:

a. Retail or office uses should be located on a designated collector.

b. Buildings shall be built to the edge of the setback unless outdoor seating or public space is provided between the building and the setback.

c. Residential units are encouraged to be located above buildings intended for retail or office uses.

d. Service lanes are encouraged as the preferred method of providing access to commercial properties located on collector streets.

4. Dimensional Standards:

a. Minimum building setbacks:

(1) Front: Twenty five feet (25').

(2) Rear: No requirement (0'). ~~Match the setback required for adjacent land use.~~

(3) Side: No requirement (0'). ~~Match the setback required for adjacent land use.~~

(4) Street side: Twenty five feet (25').

c. For the minimum required setback distance between a commercial/office land use and residential, please refer to section 10-14-15/Item F of this title.

SECTION 4. Section 10-14-27-3/Grove Interchange Sub-district, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-14-27-3: THE GROVE INTERCHANGE SUBDISTRICT:

E. Site Design:

1. Large retail complexes shall create internal circulation systems that are similar to streets and separate parking areas into smaller, discrete units.
2. Internal accessways that are similar to streets shall divide the site into parking areas no greater than fifty five thousand (55,000) square feet (approximately 100 spaces).
3. Internal accessways must connect to the public right of way at least every six hundred feet (600').
4. Each internal accessway shall have at least one auto travel lane of twelve feet (12') in each direction and shall include curb, gutter and six foot (6') sidewalk on both sides.
5. Parallel parking on internal accessways is allowed and shall be a minimum of eight feet (8') where provided. Curb extensions that are at least the full depth of the parking must be provided at the intersections of internal accessways with other accessways or public streets.
6. Dimensional standards:
 - a. Minimum lot area: None.
 - b. Minimum setbacks:
 - (1) Front: Twenty Five feet ~~Thirty feet (30'~~ 25').
 - (2) Rear: No requirement (0'). ~~Match the setback required for adjacent land use.~~
 - (3) Side: No requirement (0'). ~~Match the setback required for adjacent land use.~~
 - c. Maximum building height: Two hundred feet (200').

SECTION 5. SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and posting as provided by law.

SECTION 7. APPROVED AND ADOPTED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this ____ day of _____, 2007.

Michael W. Daniels, Mayor

ATTEST:

Amanda R. Fraughton, CMC
City Recorder

CITY COUNCIL STAFF REPORT

Meeting Date: August 7, 2007

Agenda Item Number: 7-b

Issue: Public hearing; Proposal to amend the Grove landscape buffer & setback requirements, including a corresponding amendment to each sub-district in the Grove Zoning District.

Applicant: Pleasant Grove City Staff.
Zone(s): Grove Zoning District; and all three sub-districts.

Request: For the Council to grant approval for amendments to **Sections 10-14-15, 10-14-27-1, 10-14-27-2, and 10-14-27-3**, of the City ordinance, regarding landscape buffer and setback requirements in the Grove Zoning District.

From: Sean Allen/City Planner
Community Development Department

BACKGROUND:

Staff is requesting an amendment to the Grove Zoning Ordinance, because of some inconsistencies found, and also to make the ordinance more flexible for the commercial developments being proposed, which will have a large impact to the Grove area, and the City's future tax base. The overall outcome shall allow for the ordinance to more effectively meet the "Purpose" intended with the landscape buffers, and to also more clearly outline the setback requirements in each sub-district of the Grove ordinance.

ANALYSIS:

Under Section **10-14-15/Item E**, *Street Landscaping Buffers*, the "Purpose" intended for this section is listed under #1. It states,

"Purpose: Landscape buffers are required in order to lend continuity among different architectural styles, establish a pleasing view for motorists, and create safe and pleasant corridors for pedestrians."

In reviewing the required setbacks and buffer widths, Staff has found that the current requirements do not achieve this purpose overall. The following is a table showing these requirements in their current form:

TABLE 1. MINIMUM STREET LANDSCAPE

BUFFER AREA REQUIREMENTS

Type Of Roadway	Minimum Building Setback (Feet)	Minimum Street Landscaped Buffer Width (Feet)
Local roads (except in residential areas)	25	25
Collectors	25	25
Arterials	25	25
Entryway corridors	15 25	30 <u>25</u>
Interstate	50	40

The table shows the current setbacks & buffer width requirements, which are based off of roadway types. The only roadway that Staff believes meets the “Purpose” given above, is the *Entryway Corridor* requirement, which is a minimum setback of fifteen (15) feet for buildings, and a buffer requirement of thirty (30) feet, but allows for the buffer to be measured from the back of curb, if at least fifteen (15) feet of landscaping is installed outside of the road right of way. This creates a more pleasing view for pedestrians and motorists, and allows for some flexibility with the developer. This also matches the minimum setback requirement of (15) feet, if the setback measurement is from the property line. This creates an inconsistency for other properties within the Grove. Staff would like to have the setback and landscape buffer measurements consistent for all roads within the Grove, and to also have a more favorable starting & ending point of these measurements.

Staff would like to change the landscape buffer measurements to begin from the back of curb for all roadways in the Grove. This would allow for the pedestrian walkway/sidewalk, and other space within the dedicated ROW, on the developers side of the curb, to be included within the buffer area. This is largely due to the Grove having varying sidewalk widths.

The developer can still achieve meeting the buffer requirement through a combined average along the street frontage. Staff is including a new exception clause, in this same section, that allows the landscaped buffer to be reduced, no more than five (5) additional feet, by the City Council, if the applicant has provided enhancements & exceeded standard requirements for architecture, amenities, and landscaping for the overall project proposal.

In summary, if the City chooses to keep the current buffer & setback requirements, then Staff anticipates the following:

- Inconsistency with the ordinance (Developments along “Entryway Corridors “can measure from top back of curb, where developments along the other street frontages cannot.)
- Buildings end up setback further into property, because of drives and parking in between buildings and the streetscape. This is less pleasing, and not what the ordinance intended.
- Less flexible to future commercial/retail & office developments.

Having an architecturally pleasing building, with well prepared landscaping between the building and the roadway, with site parking and on-site drives within the interior, is what Staff wishes to achieve for all areas of the Grove. With a new exception clause to allow for a small reduction to the buffer area, commercial developers should be able to have greater flexibility, and the City could still preserve what it would like to achieve along these corridors within the Grove. Staff is matching the proposed changes for all sub-districts within the Grove, which at present time, are not very clear.

Neighborhood Committee:

The Sam White's Lane Neighborhood has not submitted any comment regarding these proposed changes.

General Plan:

The proposed text amendments comply with the City' General Plan, through section 10-14-1/*Purpose*. In sub-section letter (b.) it states, "This chapter further seeks to foster development that will provide the Grove Zoning District with a special district identification that will increase property values, project real estate investment, spur commercial activity and attract new businesses and residential opportunities. More specifically, the creation of this special district shall be encouraged by means of a coordinated set of design principles for buildings, site planning, landscaping, and signage. These principles are intended to guide the individual development activities, so that they will work together visually. Staff has underlined the area of text that has been addressed with these proposed changes.

Planning/Zoning:

The proposed ordinance changes apply mainly to the Street Landscaping Buffers under section 10-14-15; however, Staff has also included each sub-district to clearly identify the setback requirements, so that from top to bottom, the Grove ordinance is consistent and also appropriate for what the City is trying to achieve for this part of the City. The modifications to each sub-district are simple. Under each sub-district setback requirements are found under the "Site Design" section. Here, Staff has made sure that the Front Yard setback matches the setback requirement found in section 10-14-15, and also, modified the text to show that there is, "No requirement," for a Side Yard Setback. For properties of a commercial/retail or office use adjacent to residential, the new text refers the reader to the appropriate section that is already in place, found in section 10-14-15.

Staff's goal is to have the ordinance be consistent, give added flexibility to developers, and to turn the Grove Zoning District into a well designed & prosperous area of the City. Planning Staff believes these changes shall accomplish the desired "Purpose" and goals for the Grove area.

Planning Commission:

On June 28, 2007, the Commission forwarded a positive recommendation to approve the proposed ordinance amendment with the following conditions:

- That a minimum 5' wide park-strip is be located between the top-back of curb & the sidewalk.
- To remove any requirement having a minimum 15' of landscaped buffer starting from the back side of the sidewalk, because of the varying sidewalk widths.

Support Materials:

- Ordinance

STAFF RECOMMENDATION:

Staff requests Council to grant APPROVAL to amend the setback and landscape buffer requirements for Section 10-14-15 and all sub-districts, within the City’s Grove Zoning District as prepared in the given ordinance.

This recommendation is based on the following conditions:

1. **That a minimum 5’ wide park-strip is located between the top-back of curb & the sidewalk, as a general landscape buffer requirement.**

This recommendation is based on the following findings:

1. The setback & landscape buffer requirements are not consistent with each other, in the Grove.
2. The current setback & landscape buffer requirements are not in the spirit of the given “Purpose” outlined in Grove Zoning District.
3. The Planning Commission has forwarded a recommendation to approve the proposed ordinance amendments.

MODEL MOTIONS:

- Sample Motion for **Approval** – “I move that the Council approves the text amendment proposals to sections **10-14-15, 10-14-27-1, 10-14-27-2, and 10-14-27-3** of the Grove Zoning ordinance; regarding setbacks & landscape buffers, as outlined in the ordinance provided; and adopting the exhibits, conditions, and findings of the staff report, and any other conditions as follows:”
 1. List any additional conditions....
- Sample Motion for **Denial** – “I move the Council to deny the text amendments requested by Pleasant Grove City Staff based on the following findings:”
 1. List findings for denial....
- Sample Motion to **Postpone** – “I move the Council to continue the proposed text amendments until (give date), based on the following findings:”
 1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

PLANNING COMMISSION STAFF REPORT

Meeting Date: August 7, 2007

Agenda Item Number: 7-c

Issue: Public hearing: A Final Plat proposal called the *Shoell Subdivision Plat "A,"* including vacating lot #6 of the Timpanogos Meadow Subdivision Plat "A."

Applicant: John Shoell
Project Location: Approx. 73 E 1200 North
Zoning: R1-8
Acreage: .48 of an acre (20,908 sf)
Request: Approval of a two lot subdivision preliminary plat

From: Sean Allen/City Planner
Community Development Department

BACKGROUND:

The Commission reviewed this subdivision proposal on June 28, 2007, and approved the Preliminary Plat; however, due to the item not properly being noticed to include vacating lot #6 of the Timpanogos Meadow Subdivision Plat "A," the proposal went back before the Planning Commission on July 26, 2007.

The subject property is currently has a house located on the southern half of the property with frontage onto 1200 North. The size of the lot combined with its adequate north-south length allows for the lot to subdivide creating a second building lot on the northern half of the property. The existing home will remain and become lot one.

ANALYSIS:

Planning/Zoning:

The current zoning of the property is R1-8. The proposed subdivision complies with all of the requirements of the R1-8 zone. There is also no zoning conflict regarding vacating lot #6 from the Timpanogos Meadow Subdivision Plat "A."

Subdivision Access & Layout:

The proposal is a two-lot subdivision located on the northwest corner of 100 East and 1200 North. The frontage for the existing house, on lot #1, will remain on 1200 North and lot #2 will become a new building lot that will have frontage along 100 East.

Final Plat
Shoell Subdivision Plat "A"
John Shoell
July 26, 2007

Engineering Review:

The engineering department has reviewed the proposed Final Plat and recommended approval.

Support Materials:

- Zoning map
- Subdivision Plat
- Aerial map

STAFF RECOMMENDATION:

Staff recommends that the City Council **APPROVE** the Final Plat proposal to be called the *Shoell Subdivision Plat "A,"* located at approximately 73 E 1200 North; for the applicant John Shoell including the condition:

- 1. That all Final Planning, Fire, and Engineering Department requirements are met prior to the recording of the final plat.**

This recommendation is based on the following findings:

1. The proposed subdivision complies with the development requirements of the R1-8 zone.
2. The proposed subdivision has been given a recommendation of approval from City Engineering.

MODEL MOTIONS:

Sample Motion for Approval – “I move we approve the Final Plat called *Shoell Subdivision Plat "A,"* request by John Shoell; located at 73 East 1200 North; and adopting the exhibits, conditions and findings of the staff report, and as modified by the conditions below:”

1. List any additional conditions...

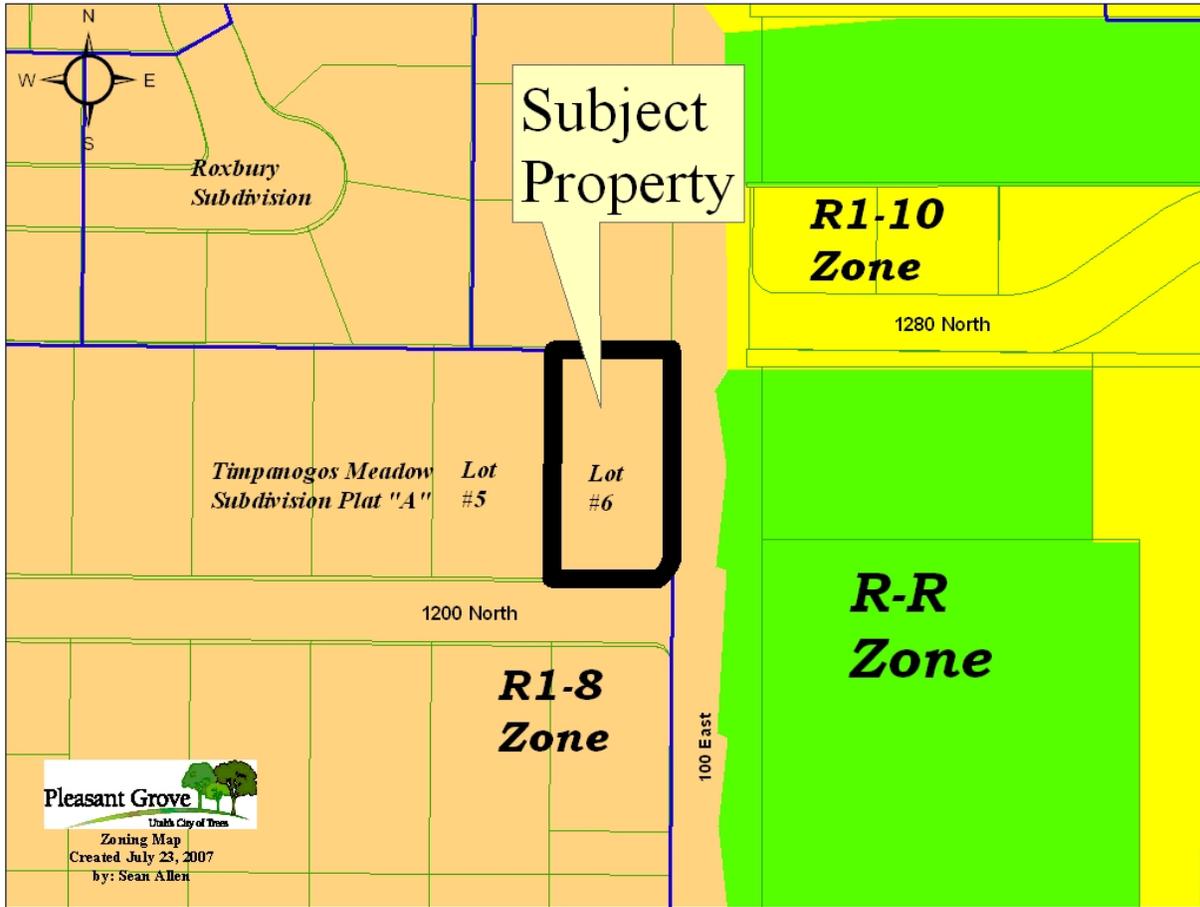
Sample Motion for Denial – “I move we deny the *Shoell Subdivision* Final Plat, requested by John Shoell, based on the following findings:”

1. List findings for denial...

Sample Motion to Postpone – “I move we continue the *Shoell Subdivision* Final Plat, requested by John Shoell, based on the following findings:”

1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

Final Plat
Shoell Subdivision Plat "A"
John Shoell
July 26, 2007

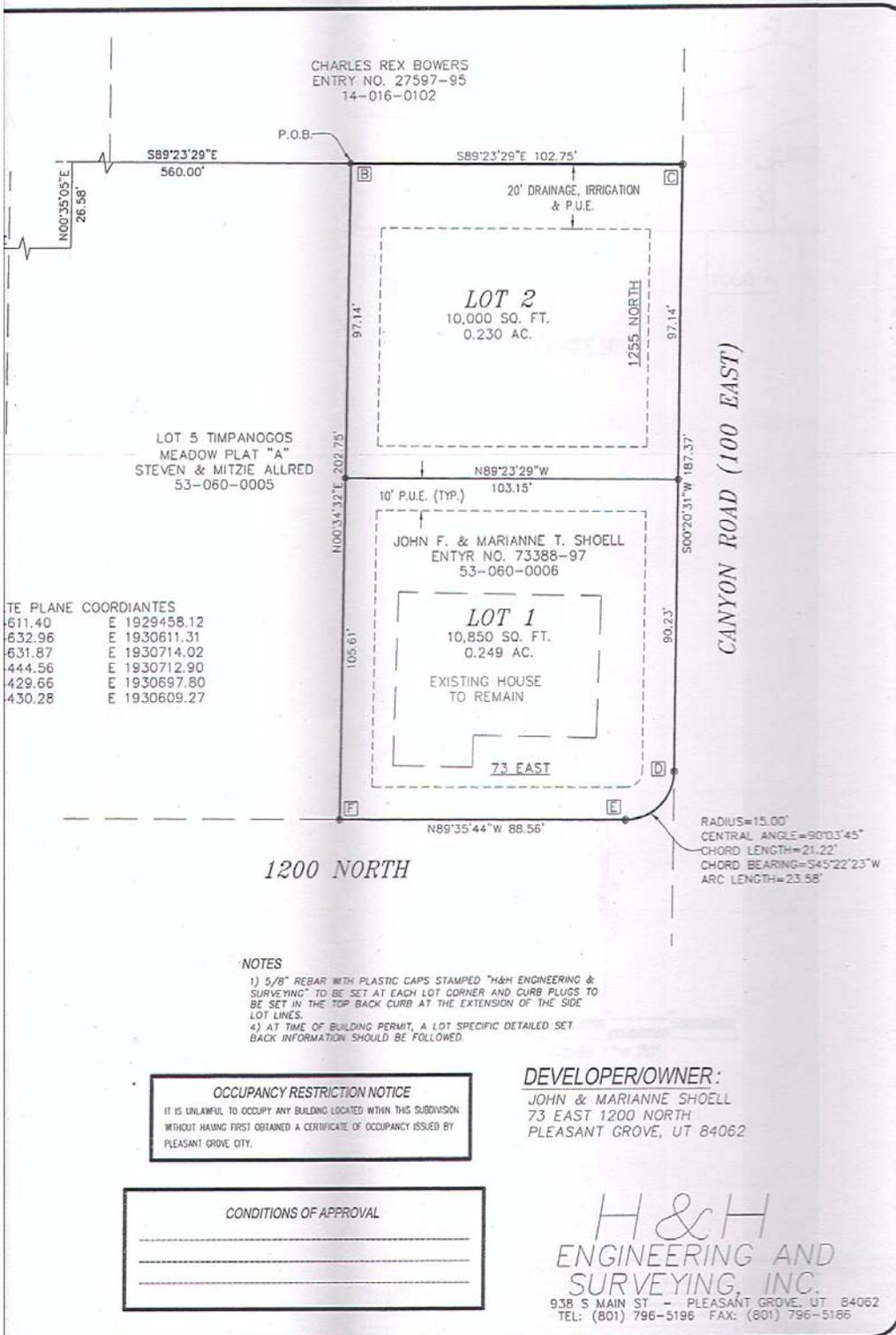


Final Plat
 Shoell Subdivision Plat "A"
 John Shoell
 July 26, 2007



**Shoell Subdivision
Preliminary Plat
June 28, 2007**

Final Plat
Shoell Subdivision Plat "A"
John Shoell
July 26, 2007



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632.96	E 1930611.31
631.87	E 1930714.02
444.56	E 1930712.90
429.66	E 1930697.80
430.28	E 1930609.27

- NOTES**
- 1) 5/8" REBAR WITH PLASTIC CAPS STAMPED "H&H ENGINEERING & SURVEYING" TO BE SET AT EACH LOT CORNER AND CURB PLUGS TO BE SET IN THE TOP BACK CURB AT THE EXTENSION OF THE SIDE LOT LINES.
 - 2) AT TIME OF BUILDING PERMIT, A LOT SPECIFIC DETAILED SET BACK INFORMATION SHOULD BE FOLLOWED.

OCCUPANCY RESTRICTION NOTICE
 IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT HAVING FIRST OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY PLEASANT GROVE CITY.

CONDITIONS OF APPROVAL

DEVELOPER/OWNER:
 JOHN & MARIANNE SHOELL
 73 EAST 1200 NORTH
 PLEASANT GROVE, UT 84062

H&H ENGINEERING AND SURVEYING, INC.
 938 S MAIN ST - PLEASANT GROVE, UT 84062
 TEL: (801) 796-5196 FAX: (801) 796-5186

SURVEYORS CERTIFICATE

I, VICTOR E. HANSEN, DO HEREBY CERTIFY THAT I HOLD CERTIFICATE NO. 1178669 IN THE STATE OF UTAH. I HAVE SURVEYED THE TRACT OF LAND HEREIN SHOWN AND THE SAME HAS BEEN CORRECTLY SHOWN ON THIS PLAT AND TO THE BEST OF MY KNOWLEDGE.

VICTOR E. HANSEN RLS 178669

BOUNDARY DESCRIPTION

ALL OF LOT 6, TIMPANOGOS MEADOW PLAT "A", THE UTAH COUNTY RECORDER, BEGINNING AT A POINT WHICH BEARS N00°35'05"E 26.58 FEET, AND OF SECTION 20, TOWNSHIP 5 S, RANGE 11 E, S. 11, T. 5 S, R. 11 E, SAID POINT ALSO BEING THE N. CORNER OF THE SUBDIVISION PLAT "A"; THENCE S89°23'29"E 102.75 FEET TO THE BEGINNING OF A 15.00 FEET RADIUS CURVE; THENCE S00°20'31"W 187.37 FEET THROUGH A CENTRAL ANGLE OF 90°03'45" TO THE BEGINNING; THENCE N89°35'44"W 88.56 FEET TO THE BEGINNING.

CONTAINING 0.479 ACRES, MORE OR LESS.

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE PROPERTY DESCRIBED ON THIS MAP, HAVE CAUSED TO BE LAYED OUT AND EASEMENTS AND AREAS AS INDICATED HEREON.

IN WITNESS WHEREOF WE HAVE SIGNED THIS _____ DAY OF _____ 2007.

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
 COUNTY OF UTAH }

ON THE _____ DAY OF _____, 2007, I, _____, APPEARED BEFORE ME, THE SIGNER, AND ACKNOWLEDGE TO ME THAT THE ABOVE IS THE TRUE AND CORRECT STATEMENT OF THE FACTS.

NOTARY PUBLIC - (SEE SEAL) MY COMMISSION EXPIRES: _____

ACCEPTANCE BY LEGISLATION

THE CITY COUNCIL OF PLEASANT GROVE, UTAH, HEREBY ACCEPTS THE DEDICATION OF LAND INTENDED FOR PUBLIC USE.

MAYOR _____

APPROVED: _____

CITY ENGINEER (SEE SEAL BELOW)

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____, 2007, BY THE PLANNING COMMISSION OF PLEASANT GROVE CITY.

DIRECTOR _____

SIGNATURE OF SURVEYOR: _____
 BEING A TIMPANOGOS MEADOW PLAT "A"

SURVEYOR'S SEAL NOTARY'S SEAL

CITY COUNCIL STAFF REPORT

Meeting Date: July 3, 2007

Agenda Item Number: 7-d

Issue: Hearing: To consider approving the proposal to amend the Condominium Plat/Site Plan/Conditional Use Permit for *City Side Condominium Development Plat "A."*

Applicant: Bill West
Zoning: C-S/Commercial Sales Zone
Location: Approximately 60 North 100 East
Acreage: 3.94-acres.

Request: The applicant is requesting the Council to grant approval to amend the City Side Condominium Plat/Site Plan, changing the elevations from a one-story with a basement to a two-story building elevation, including modifications to fencing & screening along the east boundary.

From: Sean Allen/City Planner
Community Development Department

BACKGROUND:

The original site plan was approved with elevations showing one-story, above ground buildings with a basement. Although the first buildings were built to meet this elevation, the more recent buildings have been built as two-story, above ground buildings. This was allowed to occur through approval of permits issued by Doug Bezzant, former Community Development Supervisor/Building Inspector. When this decision was made, the normal Plat Amendment process was not followed, and consideration, of the impact on the adjacent residential homes to the east was not given.

After reviewing the approval, of the original site plan elevations, and due to the neighbor's concerns, it was determined that the developers should seek an amendment to the Plat & Site Plan building before any further two-story buildings were permitted for construction.

ANALYSIS:

Planning Commission:

On May 10, 2007 the Plat/Site Plan Amendment went before the Commission. Several adjacent residents were present, and they explained how the new proposal & overall development is negatively impacting their quality of life, and property. Once all concerns were heard, it was evident that some issues needed to be addressed. There were other concerns voiced by the public, in addition, to those shown, but those

Condominium Plat Amend/Site/CUP
City Side Condominium Development Plat "A"
August 7, 2007

issues are to be a police matter if they persist. The Commission advised Staff to address the following issues, and continued the item for a later hearing:

- Proper fencing and screening of the east boundary of the commercial site.
- Lighting (screening).
- Vehicles breaking through fence into the rear yards of the single-family homes.

Staff held a meeting, inviting the adjacent homeowners & the applicant to review the Site Plan. The objective was to come to an agreement on reasonable changes that would help address the concerns of all adjacent homeowners. Staff believes that reasonable changes were proposed, and agreed to by the applicant.

On June 28, 2007 the item went back before the Planning Commission. The Commission made a motion to approve the amended Plat & Site Plan, believing that Staff and the applicant had exhausted all efforts to mitigate the concerns from the previous meeting, regarding the impact on the adjacent homeowners to the east. The following conditions were included with the motion:

- A 2' tall concrete retaining wall is to be constructed along the east boundary to act as a barrier to vehicles crashing through the fence and to provide additional height to the fence.
- A 6' tall "Mighty Lite" concrete fence is to be installed on top of the 2' retaining wall along the east boundary.
- The new fence shall not end partway along a homeowner's backyard, but shall run the entire length of the east property line (6-lots), to ensure complete screening of the properties.
- The applicant and adjacent homeowners are to work together to determine the proper location of planting any new trees for additional screening.

Site Plan:

As a result of the meeting with adjacent homeowners, and after further direction received from Staff, the applicant submitted a new Site Plan, which indicates the changes he is willing to make to help mitigate the adjacent homeowners concerns. The changes proposed are as follows:

- Replace chain link fence with an eight (6') tall solid concrete wall.
- Shade trees planted strategically along the east boundary where the buildings have a direct view, from the 2nd floor, into the adjacent homeowner's backyards.
- To protect the proposed fence from vehicles accidentally breaking through, a two (2') tall retaining wall is to be constructed at the base of the proposed fence.

So, the applicant is proposing a total of ten (8') of screening, and total of seven (7) additional trees to provide additional screening against unwanted peering, and light from the commercial buildings.

The site includes a total of 11 office buildings, 8 of which have been constructed. The following is a breakdown of the buildings and units, regarding their status:

	<u>1 Story Built</u>	<u>2 Story Built</u>	<u>Not Built</u>
Building / Units #	1-2	8-9	10
	3-4	11	12
	5-7	13	14
	16	15	

Condominium Plat:

The new buildings are shown on the attached elevations as having a height of 30 feet. Although there is not a specific height limitation in the C-S Zone, this height does fall under the maximum height limitation of 35 feet for homes in the adjoining residential zones; therefore, the proposed height of these buildings is not an issue.

Engineering Review:

JUB Engineering has no concerns involving this proposal.

General Plan:

The subject property is designated *Commercial Retail* by the City's General Land Use Map, which allows for this type of commercial operation.

Planning/Zoning:

From a Planning standpoint, locating Commercial zoned properties directly adjacent to single-family residential was poor & unwise planning; however, this was done several years ago, and the objective now is for the City & developer to do their best to soften the impact the Commercial development has on these homeowners. The applicant has complied with all additional requirements, by Staff & the Planning Commission. Staff believes the changes proposed are reasonable to the applicant, and will greatly improve the buffer & screening along the east boundary, between the commercial/office uses and the adjacent homeowners.

Support Materials:

- Zoning map
- Aerial map
- Original Plat Elevations
- Amended Plat Elevations
- New Site Plan

STAFF RECOMMENDATION:

Staff recommends that the City Council **APPROVE** the Condominium Plat/Site Plan Amendment proposal; located at approximately 60 North 100 East; for the applicant Bill West, including the following conditions:

- 1. A 2' tall concrete retaining wall is to be constructed along the east boundary line.**
- 2. A minimum 6' tall solid concrete (Mighty Lite) fence is to be installed on top of the 2' retaining wall, along the east boundary.**
- 3. The new fence is to not end partway, but run the full length of the homeowner's backyards to avoid leaving any gaps in screening.**
- 4. A minimum of seven (7) additional trees are to be installed by the applicant, along the east boundary. The applicant is to work with the adjacent homeowners on the exact locations of these trees.**
- 5. All fencing and additional landscaping along the east boundary is to be done immediately, and be completed prior to construction of any new buildings.**
- 6. That all on-site lighting for new and future buildings is to be shielded to prevent glare to the neighboring residential properties.**

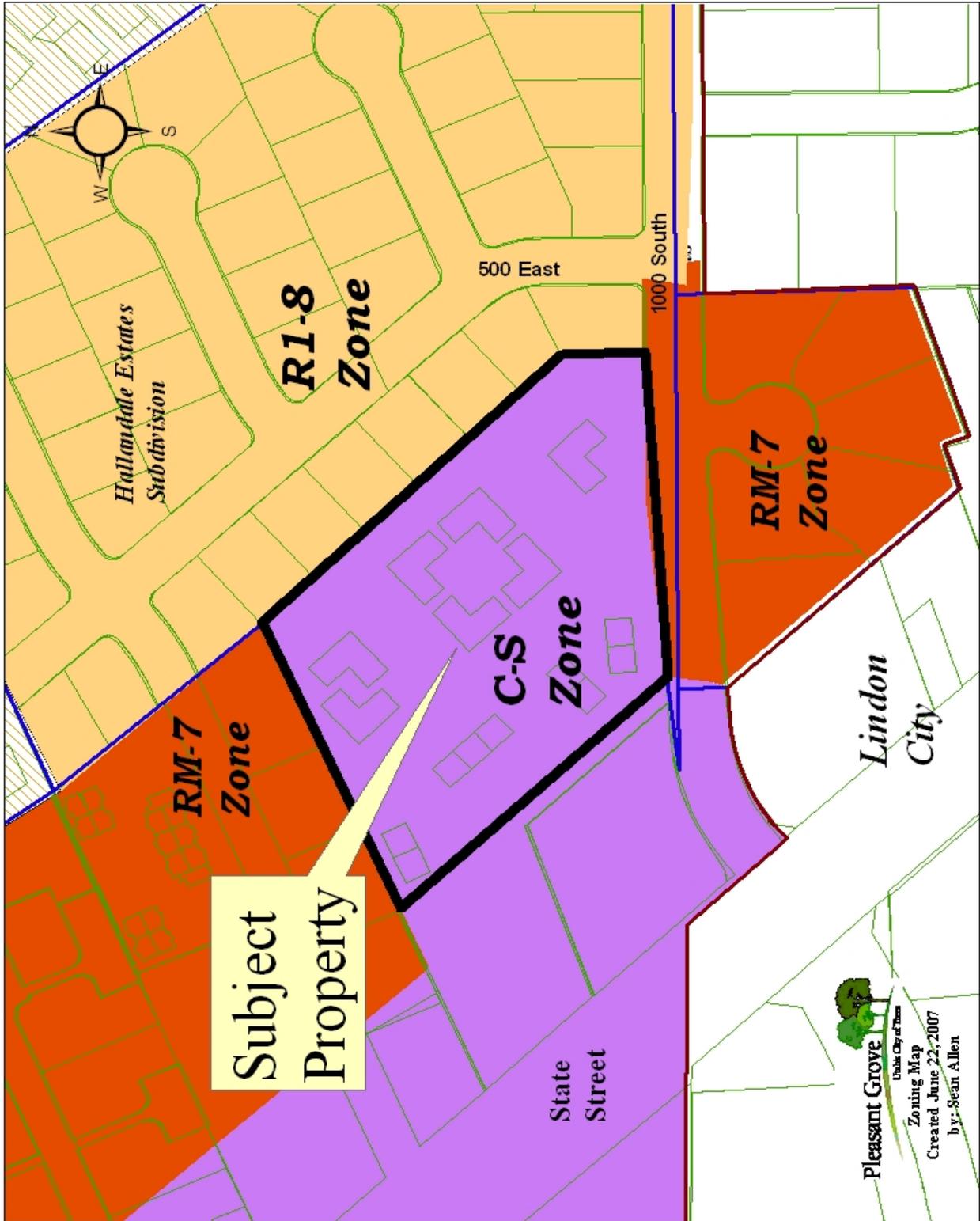
7. That all Final Planning, Fire, and Engineering Department requirements are met prior to recording the Final Plat.

This recommendation is based on the following findings:

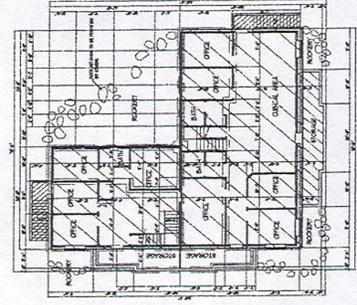
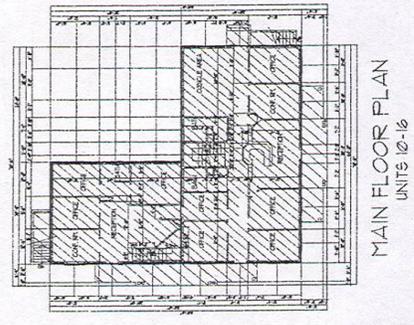
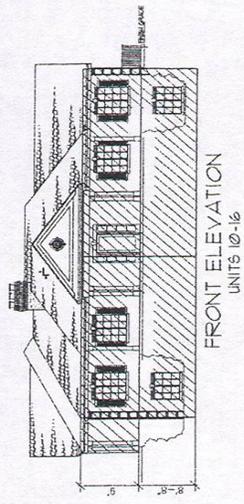
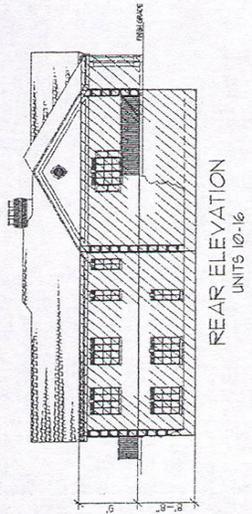
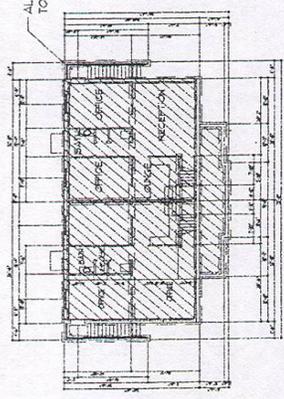
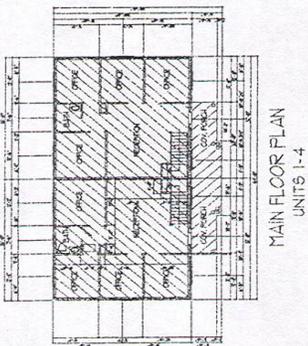
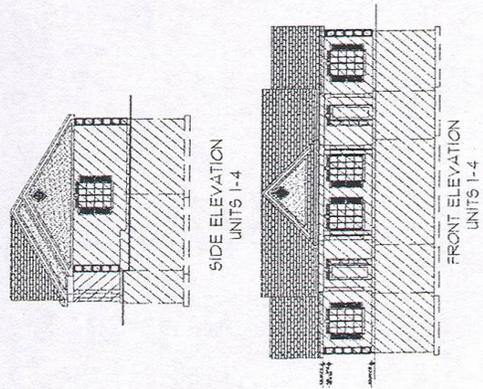
1. The adjacent homeowners concerns have been heard.
2. The applicant has agreed to make improvements to help mitigate the adjacent homeowners concerns.
3. The City is following the appropriate process for addressing a Plat/Site Plan Amendment.
4. Staff believes the efforts made to mitigate the concerns with the Site Plan, particularly the east boundary are in the best interests of the public.

MODEL MOTIONS:

- Sample Motion for **Approval** – “I move the Council to APPROVE the Amended Condominium Plat/Final Site Plan/Conditional Use Permit called *City Side Condominium Development Plat “A,”* requested by Bill West; and adopting the exhibits, conditions, and findings of the staff report, and any other conditions as follows:”
 1. List any conditions...
- Sample Motion for **Denial** – “I move the Council to deny the Amended Condominium Plat/Final Site Plan/Conditional Use Permit called *City Side Condominium Development Plat “A,”* based on the following findings:”
 1. List findings for denial...
- Sample Motion to **Postpone** – “I move the Council to continue the proposed Condominium Plat Amendment/Final Site Plan/Conditional Use Permit called *City Side Condominium Development Plat “A,”* until (give date), based on the following findings:”
 1. List reasons for continuing the item, and what is to be accomplished prior to the next meeting date...





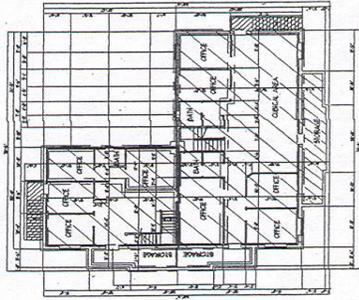


- PRIVATE AREA
- LIMITED COMMON AREA
(ALL EXTERIOR STAIRCASES)
- COMMON AREA

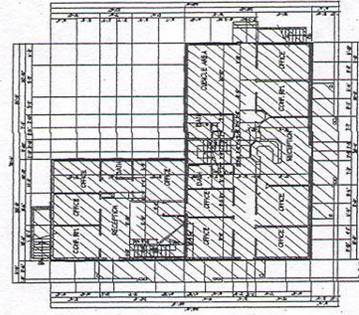
CITYSIDE DEVELOPMENT
 PREPARED BY

 DUDLEY AND ASSOCIATES INC.
 COUNTY OF
 RECEIVED AND FILED AT THE REGISTRY OF
 DATE: _____ TIME: _____
 ENTRY No. _____
 DATE OF DRAWING _____
 COUNTY RECORDS

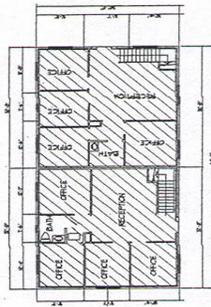
8588-98 (sheet 3 of 3)



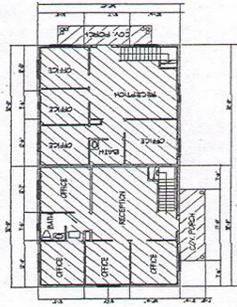
MAIN FLOOR PLAN
UNITS 10-15



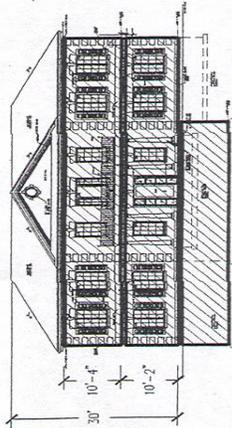
UPPER FLOOR PLAN
UNITS 10-15



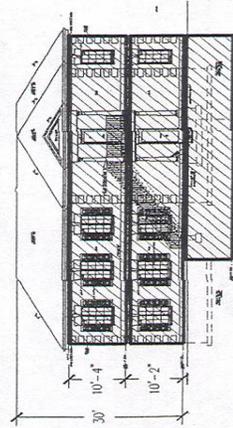
UPPER FLOOR PLAN
UNITS 8-9



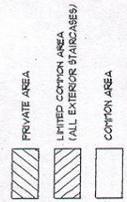
MAIN FLOOR PLAN
UNITS 8-9



FRONT ELEVATION
UNITS 8-15



SIDE ELEVATION
UNITS 8-15



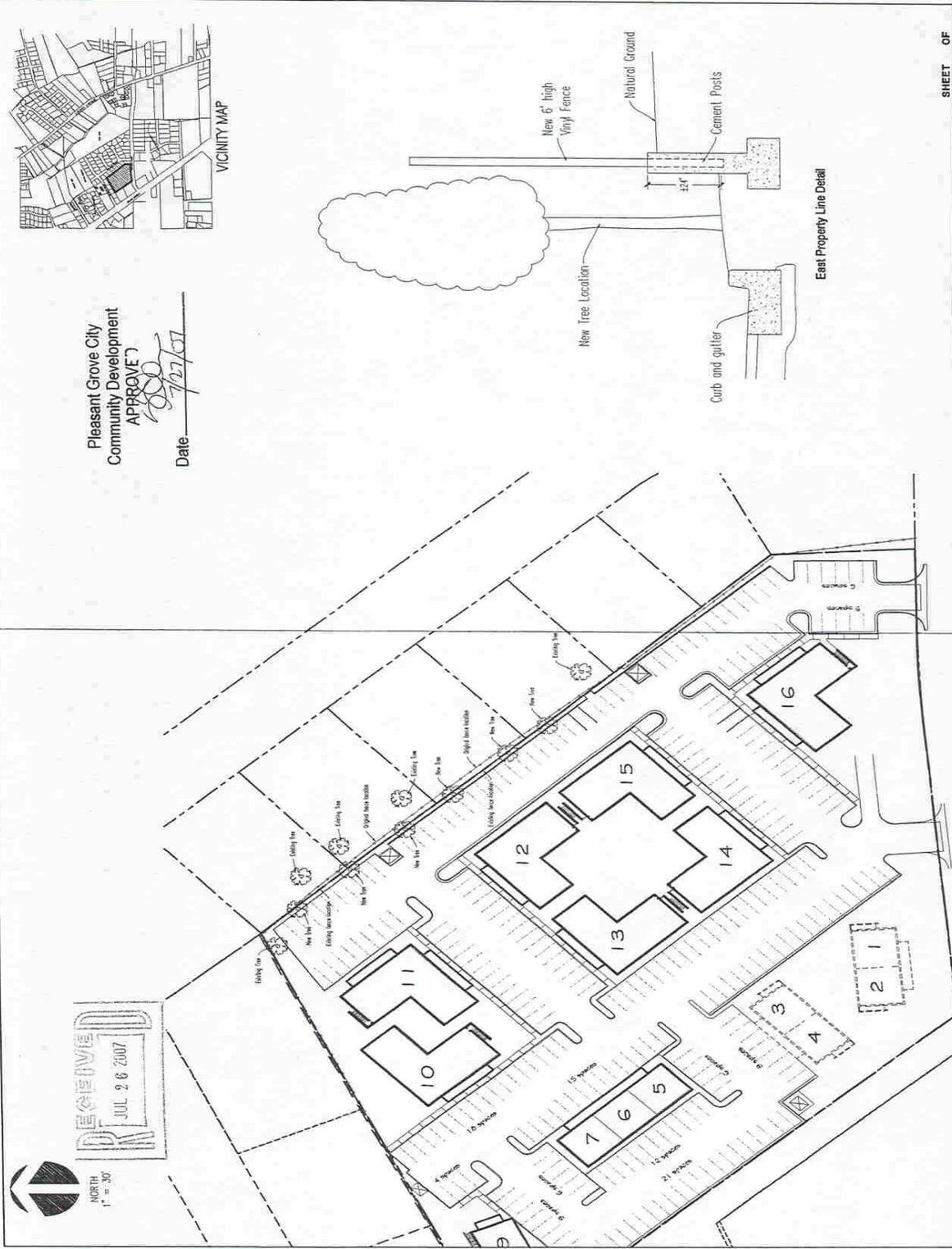
CITYSIDE DEVELOPMENT

SHEET 4 OF 4

PREPARED BY
DUDLEY AND ASSOCIATES, INC.



ENTRY No. _____
STATE of New Jersey
RECORDED AND FILED AT THE OFFICE OF
DATE _____ TIME _____
COUNTY RECORDER



Pleasant Grove City
Community Development
APPROVE ✓
Date 7/27/07

REVIEWED
JUL 26 2007
NORTH
1" = 30'

SHEET OF DATE: 6-15-07 SCALE: 1" = 30' DRAWN BY: TD DWG NAME:	Cityside Development Fencing Details Pleasant Grove,	DUDLEY & ASSOCIATES ENGINEERS PLANNERS SURVEYORS OREM, UTAH 801-224-1252	UTAH TRACING NO. 1
			UTAH TRACING NO. 1
			UTAH TRACING NO. 1
			UTAH TRACING NO. 1

Condominium Plat Amend/Site/CUP
City Side Condominium Development Plat "A"
August 7, 2007

ORDINANCE NO. _____

**AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH,
AMENDING SECTIONS 10-11-D-2 & 10-9C-2 OF THE PLEASANT GROVE
MUNICIPAL CODE, RELATING TO THE ADDITION OF HOME OCCUPATIONS AS
A PERMITTED/ACCESSORY USE IN THE CS-2 & RM-7 ZONES; PLEASANT GROVE
CITY STAFF (APPLICANT).**

WHEREAS, the legislative body has previously adopted ordinances intended to govern conditional uses within the CS-2 & RM-7 Zones; and

WHEREAS, the legislative body has indicated a need for an amendment to said ordinance to allow for Home Occupations in the CS-2 & RM-7 Zones; and

WHEREAS, on July 12, 2007 the Pleasant Grove City Planning Commission held a public hearing to consider the proposed amendment to the Pleasant Grove City Municipal Code; and

WHEREAS, at its public hearing the Planning Commission decided that the requested amendment to the Pleasant Grove Municipal Code is in the public interest and consistent with the goals and policies of the General Plan; and

WHEREAS, the Pleasant Grove Planning Commission recommended to the Pleasant Grove City Council that the amendment to the Pleasant Grove Municipal Code be approved; and

WHEREAS, on _____ the Pleasant Grove City Council held a public hearing to consider the request; and

WHEREAS, at its meeting the Pleasant Grove City Council was satisfied that the amendment to the Pleasant Grove Municipal Code is in the best interest of the public and consistent with the goals and policies of the General Plan.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Pleasant Grove City, Utah County, State of Utah, as follows:

SECTION 1. Section 10-11-D-2, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-11D-2: PERMITTED, CONDITIONAL AND ACCESSORY USES:

D. Permitted Accessory Uses: Accessory uses and structures are permitted in the CS-2 zone, provided they are incidental to, and do not substantially alter the character of, the permitted use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

1. Accessory buildings such as garages, carports, equipment storage buildings and supply storage buildings that are customarily used in conjunction with and incidental to a principal use or structure permitted in the CS-2 zone.

2. Storage of materials used for construction of buildings, including the contractor's temporary office. Such use must be on the building site or immediately adjacent thereto. Such use shall be permitted only during the construction period and thirty (30) days there after. (Ord. 2000-41, 10-17-2000)

3. Home occupations for multi-family dwellings, subject to the following list of uses:

a. Artists, authors, professional design services.

b. Consulting services.

c. Craftwork (sales to be at an off-site location).

d. Direct sales distribution (internet only).

e. Desktop publishing (internet only).

f. Data processing, computer programming and service.

g. Insurance sales or broker.

h. Interior design (internet only).

i. Mail order

j. Real estate sales, broker, appraiser (personal office only)

k. Sales representative (paperwork only).

l. Contractors (no outside storage of equipment, & one company vehicle).

4. There shall be no business visitors allowed at the multi-family dwelling.

5. All persons submitting an application for a Home Occupation, that fall within the categories above, shall be subject to meeting all the conditions listed in Chapter 10-21 of this title.

SECTION 2. Section 10-9C-2, of the Pleasant Grove Municipal Code is hereby amended to read as follows:

10-9C-2: PERMITTED, CONDITIONAL AND ACCESSORY USES:

E. Accessory Uses And Structures: Accessory uses and structures are permitted in the RM-7 zone, provided they are incidental to and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

1. Accessory buildings, such as garages, carports, bath houses, greenhouses, gardening sheds, recreation rooms and similar structures which are customarily used in conjunction with, and incidental to, a principal use or structure.
2. Swimming pools.
3. Vegetable and flower gardens.
4. Storage of materials used for construction of a building, including the contractor's temporary office. Such use must be on the building site or immediately adjacent thereto. Such use shall be permitted only during the construction period and thirty (30) days thereafter.
5. Household pets are permitted; provided, that the owner exercises reasonable and prudent animal husbandry. This requirement does not apply to kennels. Nothing herein shall be construed as authorizing the keeping of any animal capable of inflicting harm or discomfort, or endangering the health and safety of any person or property. See also, title 5, chapter 1 of this code.

6. Home occupations for multi-family dwellings, subject to the following list of uses:

- a. Artists, authors, professional design services.
- b. Consulting services.
- c. Craftwork (sales to be at an off-site location).
- d. Direct sales distribution (internet only).
- e. Desktop publishing (internet only).
- f. Data processing, computer programming and service.
- g. Insurance sales or broker.
- h. Interior design (internet only).

i. Mail order

j. Real estate sales, broker, appraiser (personal office only)

k. Sales representative (paperwork only).

l. Contractors (no outside storage of equipment, & one company vehicle).

7. There shall be no business visitors allowed at the multi-family dwelling.

8. All persons submitting an application for a Home Occupation that falls within the categories above shall be subject to meeting all the conditions listed in Chapter 10-21-4 of this title.

9. Home Occupations for single-family dwellings shall be subject to Chapter 10-21-4.

SECTION 3. SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phases of this Ordinance.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and posting as provided by law.

SECTION 5. APPROVED AND ADOPTED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this ____ day of _____, 2007.

Michael W. Daniels, Mayor

ATTEST:

Amanda R. Fraughton, CMC
City Recorder

CITY COUNCIL

STAFF REPORT

Meeting Date: August 7, 2007

Agenda Item Number: 7-e

Issue: Public Hearing; to consider an ordinance amendment allowing Home Occupations in the CS-2 & RM-7 Zones.

Applicant: Pleasant Grove City
Zones: CS-2/Commercial Sales-2 & RM-7/Medium Multiple Residential

Request: Pleasant Grove City Staff would like to add text to the CS-2 & RM-7 Zones to allow for certain Home Occupations in multi-family residential dwellings.

From: Sean Allen/City Planner
Community Development Department

BACKGROUND:

Recently, under the direction of City Administration, the Community Development Department requested to add Home Occupations, as a permitted-accessory use, to The Grove Mixed Use Zone, as part of the overhaul of the text for the entire Grove Zoning District. Council approved this request on March 6, 2007.

Through recent applications from citizens, Staff has discovered that the CS-2 & RM-7 Zones do have a provision for Home Occupations as well. In order to be consistent with this request, Home Occupations should be considered in both these zones, especially since RM-7 allows for single-family dwellings. Currently there are three home-based business applications on hold until this is resolved.

ANALYSIS:

Planning/Zoning:

The City has already allowed for residential dwellings to exist in the Grove, CS-2, & RM-7 Zones. A recent text amendment permitted Home Occupations in the Grove Mixed Use Sub-district, but Staff was unaware that Home Occupations were not allowed in the CS-2 & RM-7 Zones. These are the only two remaining zones that are missing the Home Occupation option.

For the most part, the new ordinance shall apply to multi-family dwellings. Staff has crafted the new ordinance to be more sensitive to the close quarters, one typically finds, in multi-family developments. The new ordinance is also sensitive to parking, which has been an issue with these developments. After

meeting with the Planning Commission on May 24, 2007, it was agreed that Home Occupations should be allowed, but restricting the nature of the businesses allowed, for multi-family dwellings, to those that are office/internet types only. The Commission continued the item, requesting Staff to put this list together and return for another hearing.

In creating the new list of low impact uses, Staff referred to the existing list of allowed uses for Home Occupations, found under section 10-21-5 of the code. Out of the businesses chosen there were only a few low impact office type businesses that Staff had modify to say, “personal office or internet based only.”

So, the new text provides a list of businesses for multi-family dwellings only, and then for single-family dwellings, the text simply refers persons to the Home Occupations section found under 10-21-4. All Home Occupations, whether they are on the restricted list, for multi-family dwellings in the CS-2 & RM-7 Zones, or for single-family dwellings in the RM-7 zone, are all subject to the additional guidelines and restrictions of section 10-21-4 which governs Home Occupations.

Planning Commission:

Staff returned to the Planning Commission, on July 12, 2007, with this list of low impact business types, along with a new ordinance. The Commission made a motion, recommending approval to the City Council, to allow for the proposed text amendment with the following minor changes:

- No “business visitors” are to be allowed at the dwellings in a multi-family development, due to the limited amount of parking in these developments, and potential impacts on neighbors.
- Change the business listed as “architectural design services” to “professional design services.”

These changes can be found on the ordinance provided with this report.

General Plan:

The proposal does not conflict with the City’s General Plan.

Support Materials:

- Zoning location map.
- Ordinance for text amendment.

STAFF RECOMMENDATION:

Staff recommends that the City Council **APPROVE** of the proposed text amendments, to add Home Occupations as a permitted-accessory use in the CS-2 & RM-7 Zones, including the following conditions:

- 1. That the changes requested by the Planning Commission be adopted.**

This recommendation is based on the following findings:

1. This same proposal was approved for the Grove Mixed Use Zone where multi-family residential developments exist.
2. The CS-2 & RM-7 Zones allow for multi-family residential without a provision to allow home-based businesses.
3. The RM-7 Zone allows single-family residential developments without a provision to allow home-based businesses.

4. Any changes or additions made to the municipal code are to be in the spirit of making the code more consistent, clear regarding uses and matters pertaining to the City.

MODEL MOTIONS:

- Sample Motion for **Approval** – “I move that the Council approves the text amendment proposals to Sections 10-11-D-2 of the CS-2 Zone & 10-9C-2 of the RM-7 Zone, adding Home Occupations as a permitted-accessory use; and adopting the exhibits, conditions, and findings of the staff report, and any other conditions as follows:”
 1. List any additional conditions....
- Sample Motion for **Denial** – “I move the Council to deny the text amendments requested by Pleasant Grove City Staff based on the following findings:”
 1. List findings for denial....
- Sample Motion to **Postpone** – “I move the Council to continue the proposed text amendments until (give date), based on the following findings:”
 1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

CITY COUNCIL STAFF REPORT

Meeting Date: August 7, 2007

Agenda Item Number: 7-f

Issue: Hearing – Final Plat/Vacation proposal called the *Sam White’s Park Subdivision Plat “B.”*

Applicant: Ken Francom
Owner: Dale Warburton
Location: Approximately 822 South 490 West.
Zoning: MD/Manufacturing Distribution
Acreage: 6.36-acres.

Request: For the Council to grant approval to vacate lots 1 & 2 of the existing Sam White’s Park Subdivision Plat “A” in favor of three new lots known as the Sam White’s Park Subdivision Plat “B.”

Submitted By: Sean Allen, City Planner
Community Development Department

BACKGROUND:

The applicant would like to divide the subject property strategically to coincide with the existing buildings and future sale of the land. The owner (Warburton’s) have recently acquired a small piece of land, to the east of lot #1, and wish to also incorporate that into the new subdivision Plat as the new lot #1.

ANALYSIS:

Streets & Access:

Main access shall remain from 490 West, via 700 South. The 490 West roadway is completed down the length of the property, but it is not dedicated, so the applicant has agreed to dedicate, to the City, their half of 490 West.

General Plan:

The subject property falls within the *Light Industrial* land use designation, and the use of the property, associated with this plat proposal, is in compliance with this land use.

Final plat
Sam White Park Subdivision Plat “B”
Vacating lots 1 & 2 of Plat “A”
August 7, 2007

Engineering Review:

JUB Engineering has recommended the Council to proceed with an approval of the Final Plat, subject to meeting all Final requirements prior to recording the Plat.

Planning/Zoning:

Each lot within the zone must be a minimum 1-acre in size, and have a minimum width of 100'. The proposal meets the conditions and restrictions of the MD/Manufacturing Distribution zone, and complies with all Supplementary requirements.

The applicant is not to construct any permanent structures within the irrigation, drainage, or sewer easements. This has been noted on the Plat.

Planning Commission:

On June 28, 2007, the Planning Commission granted Preliminary Plat approval.

Support Materials:

- Zoning map.
- Aerial map.
- Subdivision Plat "A"
- Proposed Plat "B"

STAFF RECOMMENDATION:

Staff recommends that the City Council **APPROVE** the Final Plat proposal *Sam White Park Subdivision Plat "B,"* vacating lots 1 & 2 of Sam White Park Subdivision Plat "A;" located at approximately 822 South 490 West, for the applicant Ken Francom including the following conditions:

- 1. All final Planning and Fire Department requirements are met, and completed prior to recording.**

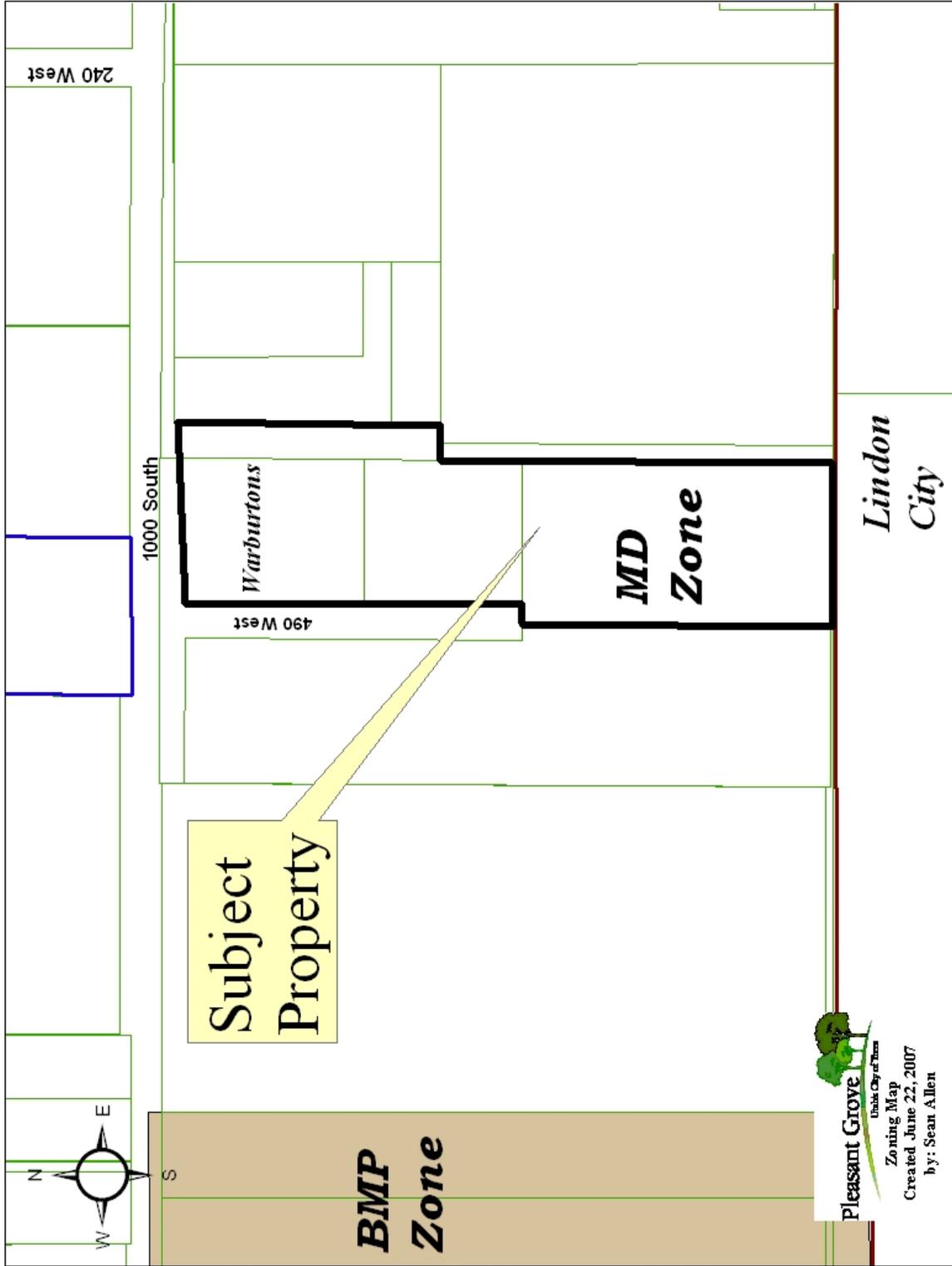
This recommendation is based on the following findings:

1. The proposal meets all the standard requirements for a Final Plat submittal in the MD zone.
2. The City will obtain additional roadway dedication of 490 West.
3. The proposal has been given a recommendation of approval from JUB Engineering.
4. The Planning Commission has granted Preliminary Plat approval.

MODEL MOTIONS:

- Sample Motion for Approval – "I move that the Council approves the Final Plat called, *Sam White Plat Subdivision Plat "B,"* vacating lots 1 & 2 of Sam White Park Subdivision Plat "A;" for the applicant Ken Francom, including the following conditions:
 1. List any additional conditions....
- Sample Motion for Denial – "I move the Council to deny the Final Plat called *Sam White Park Subdivision Plat "B;"* requested by Ken Francom, based on the following findings:"

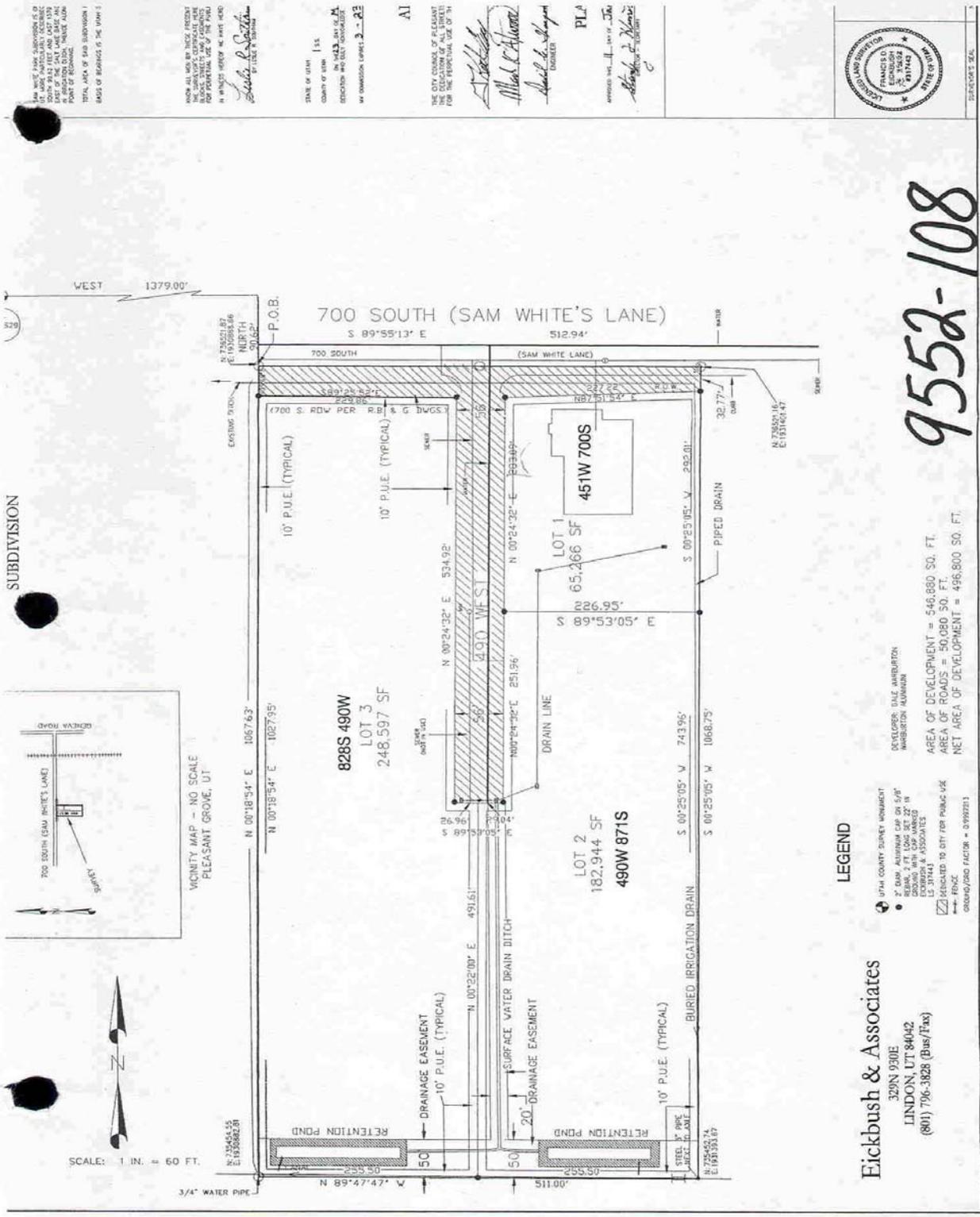
1. List findings for denial...
- Sample Motion to Postpone – “I move the Council to continue the Final Plat proposal for *Sam White Park Subdivision Plat “B”* until (give date), based on the following findings:”
1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...



Final plat
 Sam White Park Subdivision Plat "B"
 Vacating lots 1 & 2 of Plat "A"
 August 7, 2007



Final plat
Sam White Park Subdivision Plat "B"
Vacating lots 1 & 2 of Plat "A"
August 7, 2007



9552-108

Final plat
Sam White Park Subdivision Plat "B"
Vacating lots 1 & 2 of Plat "A"
August 7, 2007

ORDINANCE NO. _____

AN ORDINANCE REZONING APPROXIMATELY 3.62 ACRES OF LAND LOCATED AT APPROXIMATELY 301 W 2600 NORTH FROM R-R (RURAL RESIDENTIAL) TO R1-20 (SINGLE FAMILY RESIDENTIAL - 20,000 SQ FT); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application was submitted by Shirley Swenson, requesting the rezoning of approximately 3.62 acres of land from R-R to R1-20; and

WHEREAS, said tract of land is located at approximately 301 W 2600 North in Pleasant Grove, Utah; and

WHEREAS, on July 12, 2007, the Pleasant Grove City Planning Commission held a public hearing to consider the rezone; and

WHEREAS, at its public hearing the Planning Commission found that the requested zoning change from R-R to R1-20 was in the public interest and is consistent with the written goals and policies of the General Plan; and

WHEREAS, the Pleasant Grove Planning Commission recommended to the Pleasant Grove City Council that the application for the rezone be approved; and

WHEREAS, on August 7, 2007 the Pleasant Grove City Council held a public hearing to consider the request; and

WHEREAS, at its meeting the Pleasant Grove City Council was satisfied that the rezoning request was in the best interest of the public and was consistent with the written goals and policies of the General Plan; and

WHEREAS, at its meeting the Pleasant Grove City Council approved the request to rezone an approx. 3.62 acre tract of land located at approximately 301 W 2600 North from R-R (Rural Residential) to R1-20 (Single Family Residential – 20,000 sq ft); and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Pleasant Grove City, Utah County, State of Utah, as follows:

SECTION 1. The Pleasant Grove City Council has evaluated the rezoning of a 3.62 acre tract of land, located at approximately 301 W 2600 North from R-R (Rural Residential) to R1-20 (Single Family Residential – 20,000 sq ft). A map of the subject area is attached hereto as Exhibit “A” and incorporated herein by this reference. The request of the application is hereby **APPROVED**. The zoning of the subject property is hereby changed to R1-20 (Single Family Residential – 20,000 sq ft) and the zoning map of Pleasant Grove City is amended to reflect the

zone change.

SECTION 2. The Pleasant Grove City Council finds that the rezoning is in the best interest of the public and is consistent with the written goals and policies of the general plan.

SECTION 3. SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

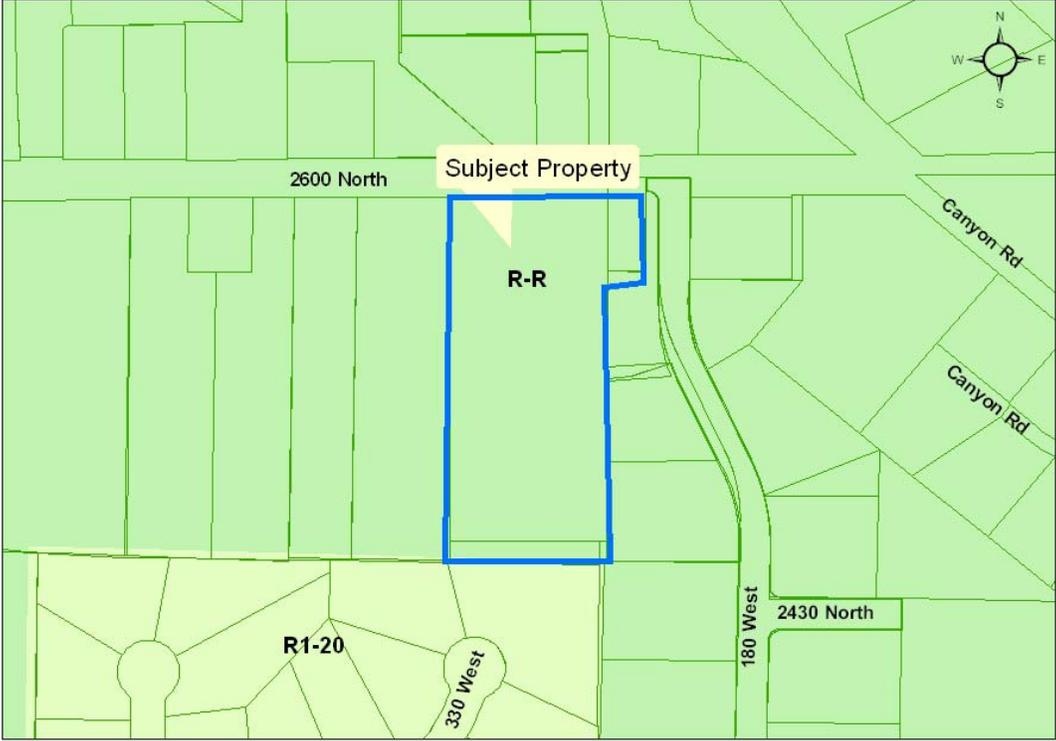
SECTION 4. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and posting as provided by law.

SECTION 5. APPROVED AND ADOPTED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this 7th day of August, 2007.

Michael W. Daniels, Mayor

ATTEST:

Amanda R. Fraughton, CMC
City Recorder



CITY COUNCIL
STAFF REPORT

Meeting Date: August 7, 2007

Agenda Item Number: 7-g

Issue: Public Hearing for a zone change request

Applicant: Shirley Swenson
Location: 301 W 2600 North
Zoning: R-R
Acreage: 3.62 Acres
Request: Approval of a zone change of approximately 3.62 acres from the R-R zone to the R1-20 zone.

From: Greg Stockhoff, Assistant City Planner
Community Development

BACKGROUND:

The subject property is 3.6 acres owned by Shirley Swenson. The applicant's residence is on the front portion of the property but the majority of the property is undeveloped land. Ms. Swenson is in the processing of subdividing the property but in order to do so, she is asking that the property be rezone. She is requesting that the property be rezoned from the R-R to the R1-20.

ANALYSIS:

General Plan: The general plan calls for Very Low Density Residential on the subject property. The current land use designation allows the following zones: A1, R-R, and R1-20. The requested zone to R1-20 complies with the current general plan map.

Zoning: The subject property is currently zoned R-R. The new zoning designation of R1-20 will allow lots to be 20,000 sf rather than 21,780 and will allow the lot width to be 100' instead of the 110' required in the R-R. The zoning designation will also result in a loss of any animal rights that are currently on the property.

Support Materials:

- General plan map
- Zoning map
- Aerial map

STAFF RECOMMENDATION:

1. Staff recommends that the City Council **APPROVE** the Swenson zone change of 3.62 acres located at approximately 301 W 2600 North, for the applicant Shirley Swenson.

This recommendation is based on the following findings:

1. The proposed zone change is consistent with the goals, policies, and objectives of the General Plan.

MODEL MOTIONS:

Sample Motion for Approval – “I move we approve the Swenson Zone Change request by Shirley Swenson, adopting the exhibits, conditions and findings of the staff report and as modified by the conditions below:”

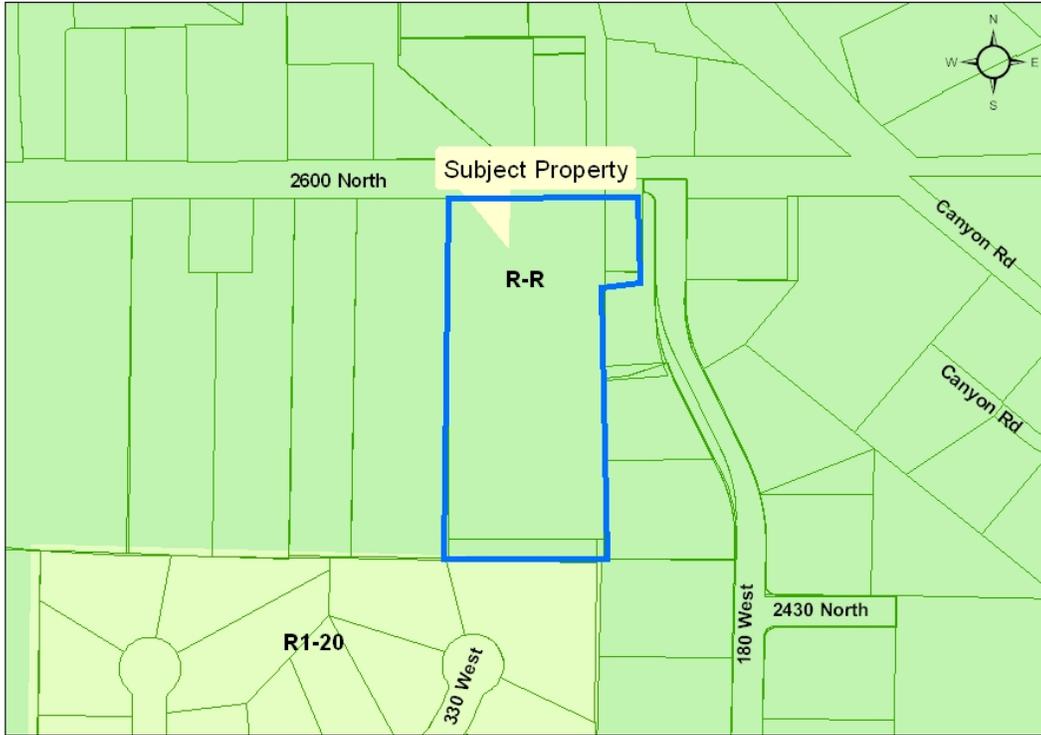
1. List any additional conditions....

Sample Motion for Denial – “I move we deny the Swenson Zone Change request by Shirley Swenson, based on the following findings:”

1. List findings for denial....



**Shirley Swenson
Zone Change
July 12, 2007**



**Shirley Swenson
Zone Change
July 12, 2007**



**Shirley Swenson
Zone Change
July 12, 2007**

CITY COUNCIL STAFF REPORT

Meeting Date: August 7, 2007

Agenda Item Number: 7-h

Issue: Hearing; Final Plat/Flag Lot proposal to be called *Emily's Place Subdivision Plat "A."*

Applicant: Spencer Shumway/Knight West Construction
Zoning: R1-8/Single-Family Residential
Location: Approximately 800 North 100 East.
Acreage: 0.252-acres.

Request: The applicant is requesting the City Council to grant Final approval of a Flag Lot Subdivision development.

From: Sean Allen/City Planner
Community Development Department

BACKGROUND:

The applicant is proposing two (2) standard lots, and three (3) Flag Lots, which are lots 1, 3 & 4, on the south side of 800 North. The applicant has undertaken the hardship of developing this property, having to connect the remainder of 800 North to 100 East. The portion of the subdivision, north of 800 North, was legal, but non-conforming, prior to the road, because it was made up of two very small parcels. Connecting the roadways made it even more non-compliant, and the previous owner was having difficulty selling the property under those conditions.

Under the recommendation of City Staff, the applicant has purchased this non-conforming property, to make it part of the subdivision proposal, with the hope of bringing the property into conformance with the zone. As a result, Lot #5 has been created, and the only thing that was lacking, to bring the property into compliance with the zone, was the lot does not meet the lot width requirement for the east side of the corner lot. The zone requires the width to be a minimum 95', because it is on a corner. On June 13, 2007, the applicant successfully obtained a variance of 20.5 to this requirement.

ANALYSIS:

Streets/Access:

800 North is to be fully completed from the west stub, to 100 East, as part of the City's streets master plan. Access for lots 1, 3, & 4 are to from the 25' wide Common Stem road, connected to 800 North. Lot #2 is to access 800 North as standard lot. Lot #5 has a couple conditions with the approved variance.

Due to the shape of the lot, the front door must always face 100 East for the future home, and the driveway access is to come off 800 North.

Subdivision/Flag Lot Design:

The subdivision design is greatly impacted by the connection and alignment of 800 North to 100 East. The other impact is the property directly west (*Walter Subdivision*) is already been developed as a Flag Lot subdivision, and there is no other surrounding properties that could be developed as a standard subdivision, along with the subject property.

Staff has to be concerned with an attempt to maximize development; however, due to the proposed layout, and lot sizes, Staff believes that the applicant is not trying to maximize the development of this property. Lot #4 is large enough to create another lot; however, the applicant has chosen to keep the home on a good sized lot. Also, the applicant was not required, at any given time, to purchase & incorporate the property, which makes up lot #5, but agreed to do so, because it would benefit the City, and the attempts to make it a conforming lot have been successful. What was a negative is now a positive outcome for both the applicant and the City.

Engineering Review:

JUB Engineering has recommended Final Plat approval for this proposal, and recommends that the applicant complete installation of all required utilities and asphalt for the proposed Stem. All other improvements are to be installed along 800 North.

General Plan:

The City's current General Land Use Map designation for this property is *Medium Density Residential*. The applicant's proposal complies with this land use designation.

Vicinity Plan:

The applicant has supplied a Vicinity Plan, which shows that there are no adjacent properties that remain undeveloped, or could share in the possible development of a standard subdivision. Staff finds this Flag Lot subdivision proposal to be an appropriate request, especially when the extenuating factors of this development are included.

Planning/Zoning:

The existing structures on proposed lot #5 are to be removed. The main concern with this subdivision proposal has been what is to become of lot #5, because the required lot width for the east side is 95' and the best that could be achieved is 74.77'. This is no longer a concern, because the applicant has successfully obtained a variance of 20.5' for this lot width. All other requirements of the R1-8 zone are being met, and all Supplementary requirements for a Flag Lot development have been met.

Planning Commission:

On June 28, 2007, the Commission granted Preliminary Plat approval for the Flag Lot subdivision development with the following conditions:

- Lot #1 is to access the Common Stem.
- The existing buildings on lot #5 are to be removed.
- The new home on lot #5 is to face the east, and the driveway for the same lot is to be accessed from 800 North.

Support Materials:

- Zoning map
- Aerial map
- Subdivision Plat
- Vicinity Plan

STAFF RECOMMENDATION:

Staff recommends that the City Council **APPROVE** the Final Plat/Flag Lot proposal called *Emily's Place Subdivision Plat "A,"* located at approximately 800 North 100 East, for the applicant Knight West Construction, including the following conditions:

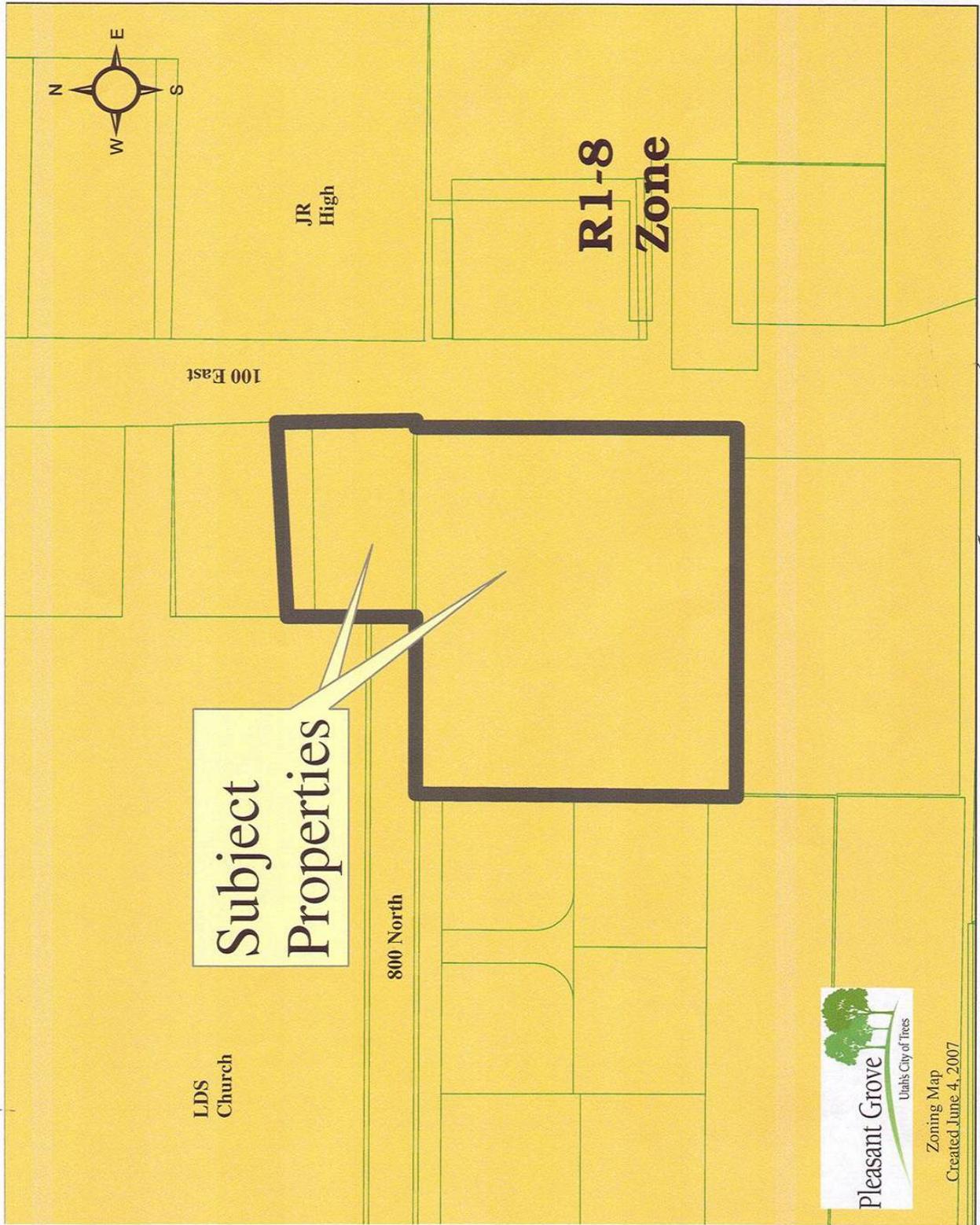
- 1. All existing structures on lot #5 are to be removed.**
- 2. The front door of the new home, to be constructed on lot #5, is to face 100 East. The drive access for this home is to be from 800 North.**
- 3. Lot #1 is to access the Common Stem as a third Flag Lot.**
- 4. That all Final Planning, Engineering, and Fire Department requirements are met prior to recording the Final Plat.**

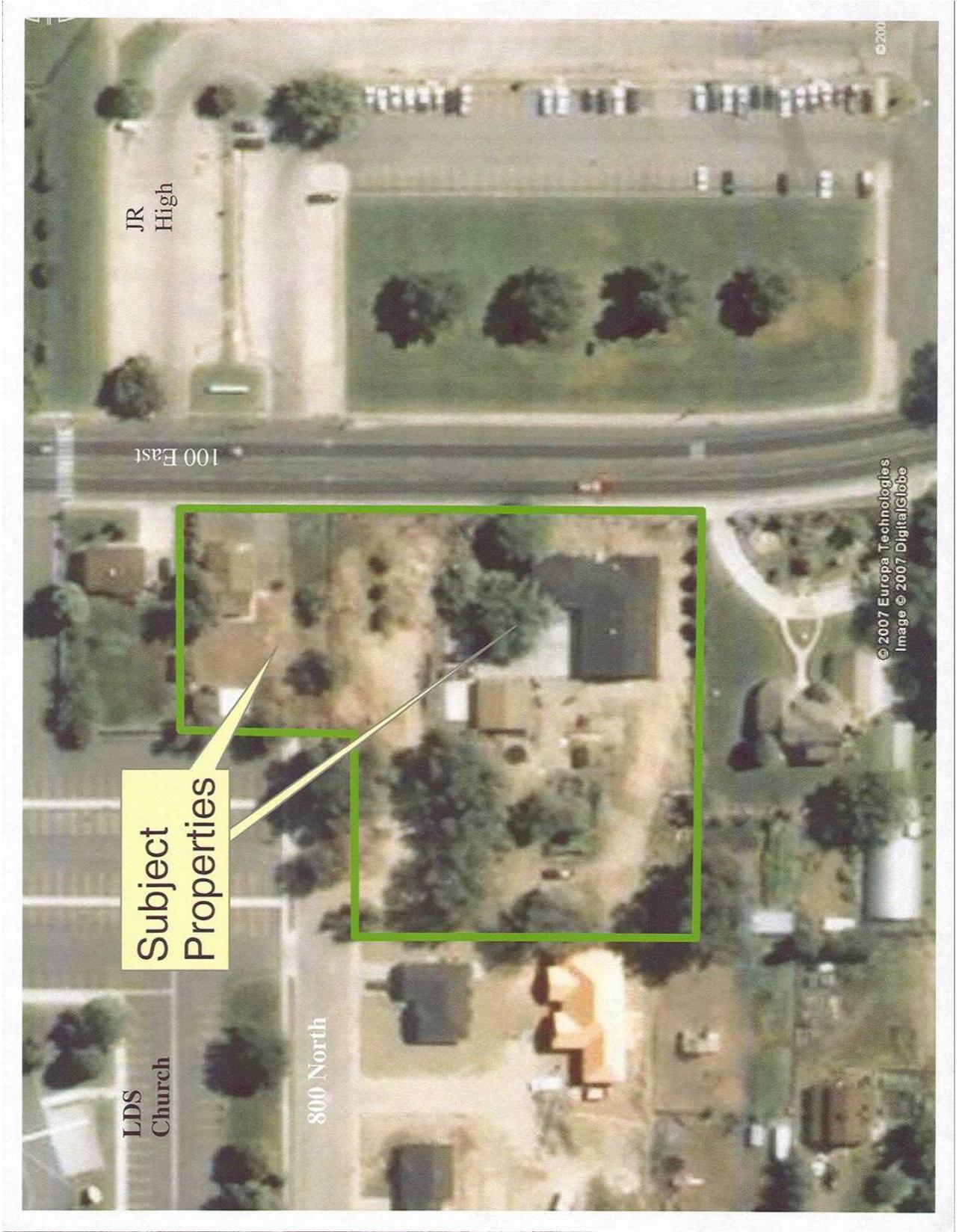
This recommendation is based on the following findings:

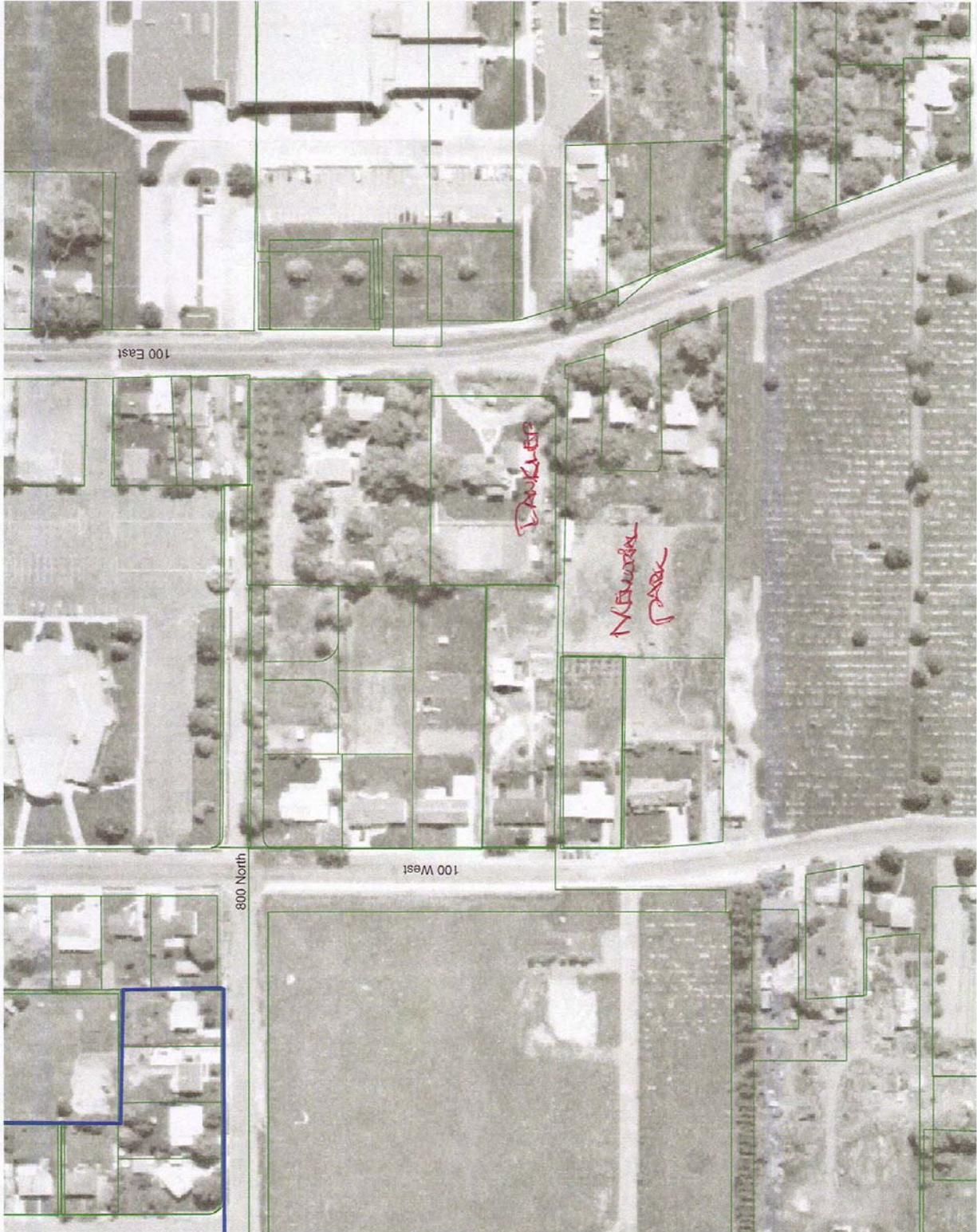
1. The proposed subdivision complies with the R1-8 Zoning ordinance.
2. The applicant obtained a variance for the lot width on lot #5, from the Board of Adjustment.
3. The Flag Lot portion of the subdivision complies with all Supplementary requirements.
4. The City is obtaining the necessary ROW and improvements to connect 800 North to 100 East.

MODEL MOTIONS:

- Sample Motion for Approval – “I move that the Council approves the Final Plat/Flag Lot development proposal called, *Emily's Place Subdivision Plat "A,"* located at approximately 800 North 100 East; for the applicant Knight West Construction, including the following conditions:
 1. List any additional conditions....
- Sample Motion for Denial – “I move the Council to deny the Final Plat/Flag Lot development called *Emily's Place Subdivision* requested by Knight West Construction, based on the following findings:”
 1. List findings for denial...
- Sample Motion to Postpone – “I move the Council continue the Final Plat/Flag Lot development proposal called *Emily's Place Subdivision* until (give date), based on the following findings:”
 1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...







**CITY COUNCIL
STAFF REPORT**

Meeting Date: August 7, 2007

Agenda Item Number: 7-i

Issue: Hearing for a twin home conditional use permit and final plat proposal

Applicant: Robert Jones
Project Location: 421 E 500 South
Zoning: R1-8
Acreage: .39
Request: Approval of a twin home two lot subdivision final plat

From: Greg Stockhoff, Assistant Planner
Community Development Department

BACKGROUND:

The subject property is currently one lot with the house fronting onto 500 South. The size of the lot is sufficient for the lot to subdivide creating a second building lot; however, the location of the house makes it impossible to subdivide the property into two single-family unit parcels. After meeting with the DRC, the applicant decided to pursue subdividing the property as a twin home development which is an approved conditional use in the R-1 zones. Section 10-15-32A reads as follows: *Conditional use; Permitted zones: Twin home development shall be allowed as conditional uses in the residential zones, as long as the lot size, setbacks, and frontage requirements for each unit have been satisfied.* On June 14, 2007 the Planning Commission approved the twin home conditional use request by Robert Jones.

ANALYSIS:

Zoning: The zoning of the property is R1-8. Two-family dwellings are a conditional use in the R1-8 zone. A twin home development is required to comply with all the requirements for a twin home development as stated in section 10-15-32 of the Pleasant Grove City Code (see attached). Staff has reviewed the requirements for a twin home development and determined that the subject property is in compliance with the requirements of section 10-15-32.

Subdivision Layout/Design: The proposed subdivision is a two lot twin home subdivision with lot one fronting 500 South and lot two fronting 400 East. Because the property is a corner lot with each unit fronting a different street, the development will have the appearance of a single-family unit rather than that of a duplex. The applicant has also agreed to plant two evergreens along 500 South to further buffer the twin home from the street.

Engineering Review: The engineering department has reviewed the final plat and recommended approval.

Planning Commission: On June 14, 2007 the Planning Commission reviewed the request of Robert Jones and approved the twin home conditional use and the *RPJ Subdivision* preliminary plat.

Support Materials:

- Zoning map
- Aerial map
- Subdivision Plat
- Section 10-15-32

STAFF RECOMMENDATION:

Staff recommends that the City Council **APPROVE** the final plat proposal for the twin home subdivision known as *RPJ Subdivision* located at approximately 421 E 500 South, for the applicant Robert Jones including the following condition:

1. That all the requirements for a twin home development are met
2. That all final Engineering requirements are met prior to recording of the final plat.

This recommendation is based on the following findings:

1. That twin homes are a conditional use in the R1-8 zone.
2. That the subdivision meets the requirements for a twin home development as stated in section 10-15-32 of the Pleasant Grove City Code.
3. That the subdivision complies with the goals, policies and objectives of the General Plan.
4. The Planning Commission approved the twin home conditional use request and *RPJ Subdivision* preliminary plat on June 14, 2007.

MODEL MOTIONS:

Sample Motion for Approval – “I move we approve the *RPJ Subdivision* final plat request by Robert Jones, adopting the exhibits, conditions and findings of the staff report, and as modified by the conditions below:”

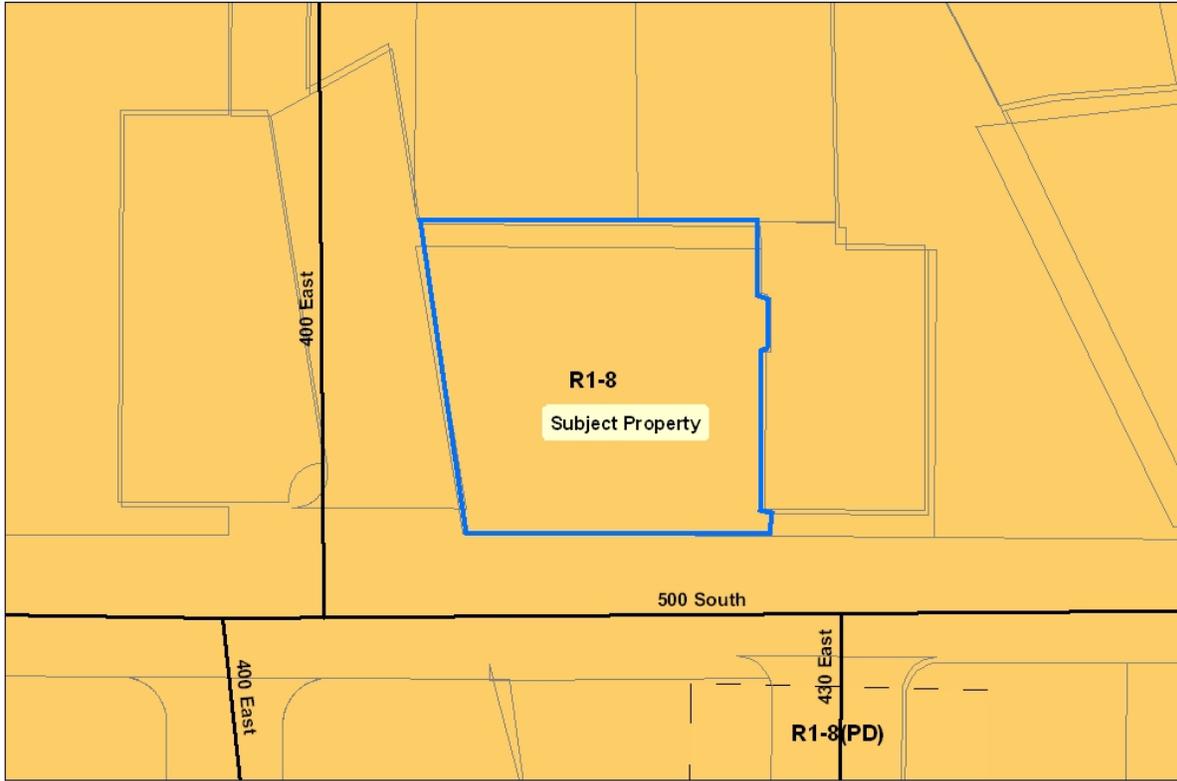
1. List any additional conditions...

Sample Motion for Denial – “I move we deny the RPJ final plat request by Robert Jones, based on the following findings:”

1. List findings for denial...

Sample Motion to Postpone – “I move we table the RPJ Subdivision final plat request by Robert Jones, based on the following findings:”

1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...



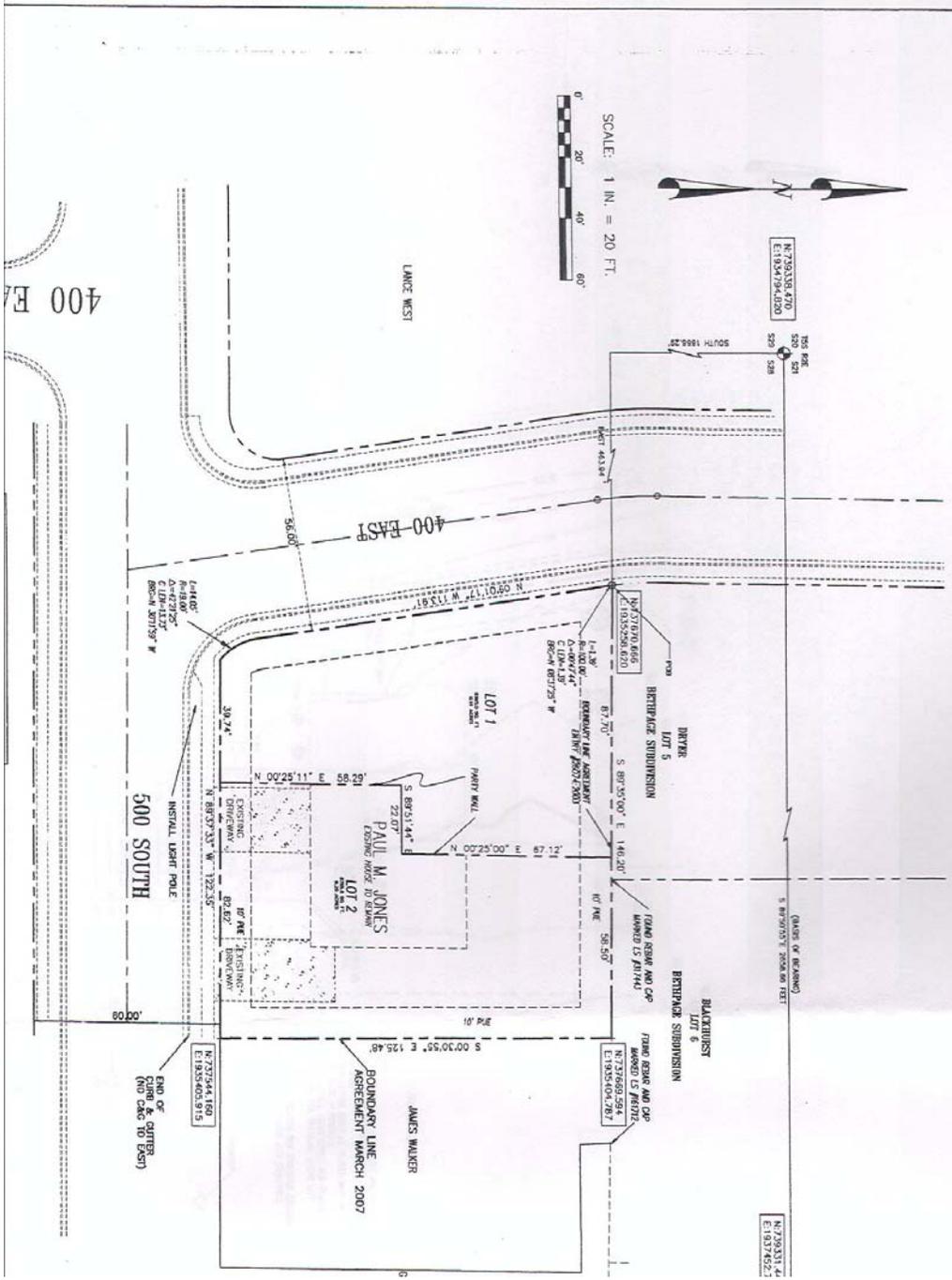
Robert Jones
421 E 500 South
June 14, 2007



Robert Jones
421 E 500 South
June 14, 2007

RECEIVED
JUL 23 2007

RPJ TWIN HOME SUBDIVISION
LOCATED IN THE NW 1/4 OF SECTION 28 T5S R2E S1B&M
PLEASANT GROVE, UTAH



10-15-32: TWIN HOME DEVELOPMENT STANDARDS:

- A. Conditional Use; Permitted Zones: Twin home development shall be allowed as conditional uses in the residential zones, as long as the lot size, setbacks and frontage requirements for each unit have been satisfied. (Ord. 2000-23, 7-18-2000; amd. 2003 Code; Ord. 2004-19, 8-17-2004)
- B. Design: Because twin homes are attached on a common lot line, dwellings shall be designed and built in pairs.
- C. Conditions And Standards Of Dwelling: All conditions and standards of the R-1-8 or RM-7 zone (as applicable) must be met for each dwelling unit.
- D. Off Street Parking:
1. Each dwelling shall have not less than two (2) off street parking spaces, at least one of which is within an attached carport or fully enclosed attached garage.
 2. Garages and carports shall be located to provide a paved driveway of not less than twenty seven feet (27') in length as measured from the nearest edge of the public sidewalk to the garage door, or carport supports.
- E. Center Wall: The center wall between the dwelling units shall be on the property line and shall be designed and constructed for soundproofing with a maximum sound isolation.
- F. Fencing: A masonry wall or approved decorative fence or hedge may surround each pair of lots in accordance with the fencing provisions of the underlying zone. Said wall, hedge or decorative fence may include front and rear yard dividers. The rear yard may be divided by a sight obscuring fence, wall or hedge.
- G. Appearance: To the greatest extent possible, designers of twin homes should strive for a single-family detached appearance. Instead of looking like a duplex, where each unit mirrors the other, the homes should be designed so that they have the appearance of one large unit. This can be accomplished by separating the entrance of one unit from the entrance to the adjacent unit, or by utilizing grade changes and roofline variety.
- H. Landscaping Plan: Development plans shall include a landscaping plan for the front yards, which shall be installed by the developer.
- I. Separate Utilities And Building Drains: Each side of the twin home shall be separately metered for water and power. Building drains shall be separate as they leave the building.

J.Application For Permit: Application for conditional use permit shall be made as per section [10-2-4](#) of this title, and plans shall undergo administrative project plan review as per section [10-2-9](#) of this title. (Ord. 2000-23, 7-18-2000)

**CITY COUNCIL
STAFF REPORT**

Meeting Date: August 7, 2007

Agenda Item Number: 7-g

Issue: Public Hearing for a zone change request

Applicant: Shirley Swenson
Location: 301 W 2600 North
Zoning: R-R
Acreage: 3.62 Acres
Request: Approval of a zone change of approximately 3.62 acres from the R-R zone to the R1-20 zone.

From: Greg Stockhoff, Assistant City Planner
Community Development

BACKGROUND:

The subject property is 3.6 acres owned by Shirley Swenson. The applicant's residence is on the front portion of the property but the majority of the property is undeveloped land. Ms. Swenson is in the processing of subdividing the property but in order to do so, she is asking that the property be rezoned. She is requesting that the property be rezoned from the R-R to the R1-20.

ANALYSIS:

General Plan: The general plan calls for Very Low Density Residential on the subject property. The current land use designation allows the following zones: A1, R-R, and R1-20. The requested zone to R1-20 complies with the current general plan map.

Zoning: The subject property is currently zoned R-R. The new zoning designation of R1-20 will allow lots to be 20,000 sf rather than 21,780 and will allow the lot width to be 100' instead of the 110' required in the R-R. The zoning designation will also result in a loss of any animal rights that are currently on the property.

Support Materials:

- General plan map
- Zoning map
- Aerial map

STAFF RECOMMENDATION:

1. Staff recommends that the City Council **APPROVE** the Swenson zone change of 3.62 acres located at approximately 301 W 2600 North, for the applicant Shirley Swenson.

This recommendation is based on the following findings:

1. The proposed zone change is consistent with the goals, policies, and objectives of the General Plan.

MODEL MOTIONS:

Sample Motion for Approval – “I move we approve the Swenson Zone Change request by Shirley Swenson, adopting the exhibits, conditions and findings of the staff report and as modified by the conditions below:”

1. List any additional conditions....

Sample Motion for Denial – “I move we deny the Swenson Zone Change request by Shirley Swenson, based on the following findings:”

1. List findings for denial....



**Shirley Swenson
Zone Change
July 12, 2007**



**Shirley Swenson
Zone Change
July 12, 2007**



**Shirley Swenson
Zone Change
July 12, 2007**

CITY COUNCIL STAFF REPORT

Meeting Date: August 7, 2007

Agenda Item Number: 7-j

Issue: Hearing; Final Plat proposal called Autumn Grove Subdivision Plat "B."

Applicant: James Hancock
Zoning: R1-10/Single-Family Residential
Location: Approximately 1180 North 930 West.
Acreage: 1.94-acres.

Request: The applicant is requesting the Council to grant Final Plat approval for a 2- lot subdivision.

From: Sean Allen/City Planner
Community Development Department

BACKGROUND:

On July 17, 2007 Council got their first look at this Final Plat proposal. The motion was made to continue the item until the Council's concerns, with double frontage of lot #1, were addressed by the Planning Commission. Staff has complied with Council's request, and on July 26, 2007 Staff presented the proposal to the Commission, and the item is ready to come before the Council once again.

ANALYSIS:

Planning Commission:

On July 26, 2007 the Planning Commission reviewed the subdivision plat once more to address any and all concerns with the issue of double frontage. The Commission believes that there is not a concern here, because any future development of the subject property and the property to the east (Hullinger's) will dissolve any existing double frontage. This analysis is supported by the Vicinity Plan provided with this report. Until then, the applicant has agreed to install a solid fence along the south side of the 1180 North ROW, with a gate, so the existing land owner may still access the rear portion of his property. The motion was made to approve including the condition of the fence, and the vote was unanimous.

Streets/Access:

Main access to the subdivision shall branch off 990 West and become 1180 North, and lead into the subject property. This portion of the road shall be to the full ROW width of 56' with improvements to

1180 North extending the length of the new lot #2. Lot #1 shall remain under the ownership of the Wignalls who will maintain access off 1100 North.

Subdivision Design:

The existing Wignall parcel is long and deep, and applicant has worked out the arrangement with the owner to develop one lot; however, the Wignalls do not wish to separate the north half from the south half for taxing purposes. The applicant has designed the new subdivision to allow a narrow connection between the north & south portions of the Wignall property, as shown on the east side of lot #2. The Wignalls have put in writing that they are willing to dedicate the remaining portion of 1180 North roadway for when the Hullinger property is ready to develop. The City has obtained this signed agreement, and it is transferable if the Wignalls sell the remaining property.

Engineering Review:

With permission of the lot owner, JUB Engineering has recommended a temporary asphalt turnaround be installed, in the southeast corner of lot #9 in the Honey Subdivision. JUB has no other concerns at this time.

General Plan:

The general plan calls for Low Density Residential on the subject property. The proposal complies with the General Land Use Map.

Planning/Zoning:

The subject property is zoned R1-10. Both lots meet the standard lot size, lot width & frontage for the zone. The necessary improvements are proposed to be installed along the width of the new lot for both sides of the road.

Staff is comfortable with the signed agreement from the Wignalls to dedicate the additional future roadway when the Hullinger property developers.

Also, Staff does not believe there is a significant concern with regard to the double frontage question, because the Vicinity Plan for the area, and that there is little to no chance of permanency to this design. Double frontage is not illegal, it is just not preferred and it must be regulated. Having said that, Staff and the Commission believe this is an acceptable case, because the design is following an overall Vicinity Plan for the area.

The Vicinity Plan shows that when full development of the Wignall property occurs, along with the adjacent property, the concern with double frontage will dissolve. Another perspective on this is this scenario is much more desirable to the City than having another possible Flag Lot, which is what would occur if 1180 North was not going through.

Support Materials:

- Zoning map
- Aerial map
- Final Subdivision Plat
- Vicinity Plan

STAFF RECOMMENDATION:

Staff recommends that the City Council **APPROVE** the Final Plat proposal *Autumn Grove Subdivision Plat "B;"* located at approximately 930 West 1180 North, for the applicant James Hancock including the following conditions:

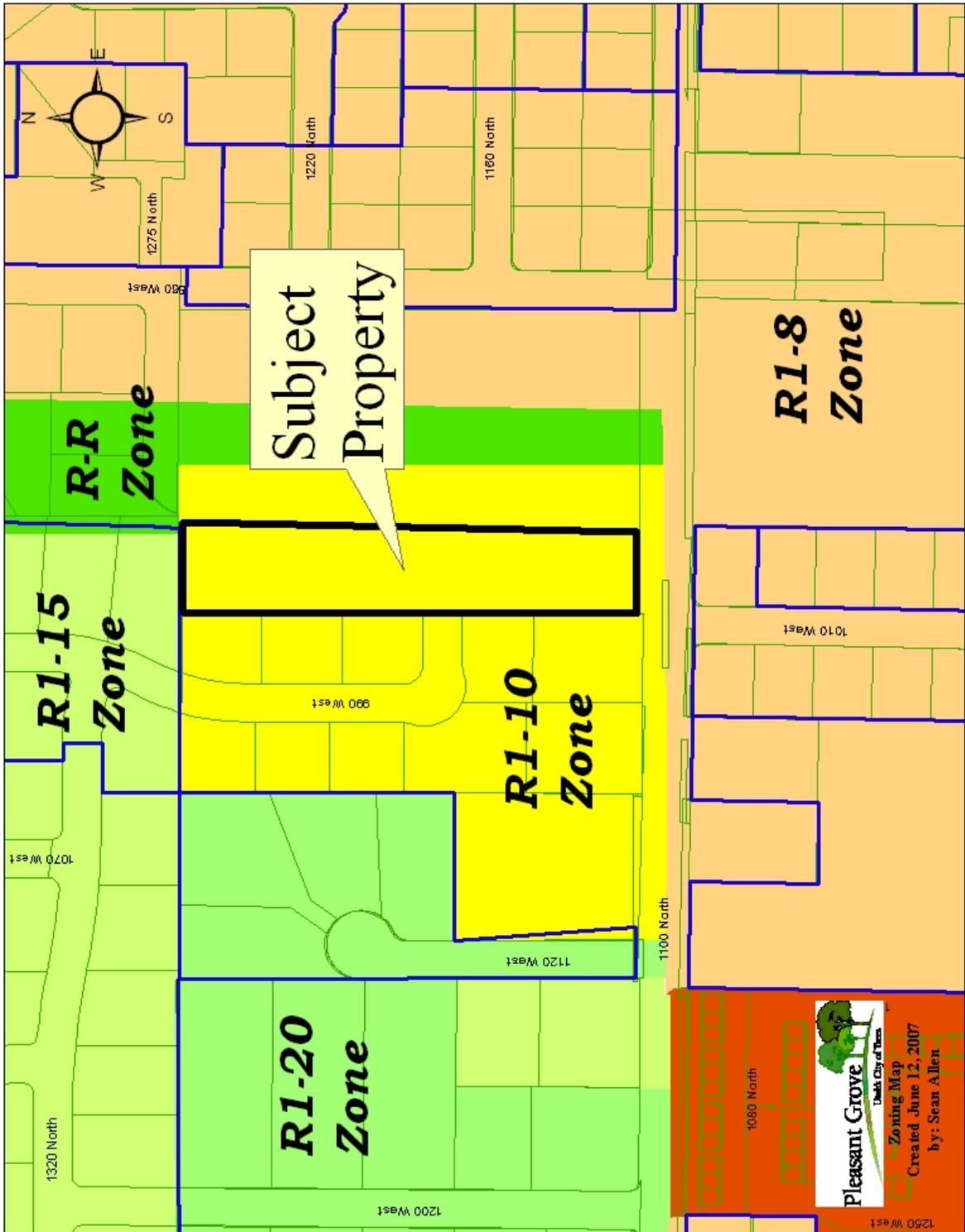
- 1. That a minimum 6' tall solid fence is to be installed along the south side of the 1180 North ROW to the Hullinger property, with a gate to allow for the Wignalls to access the north portion of their property.**
- 2. Planning, Engineering, and Fire Department requirements are met prior to recording the Final Plat.**

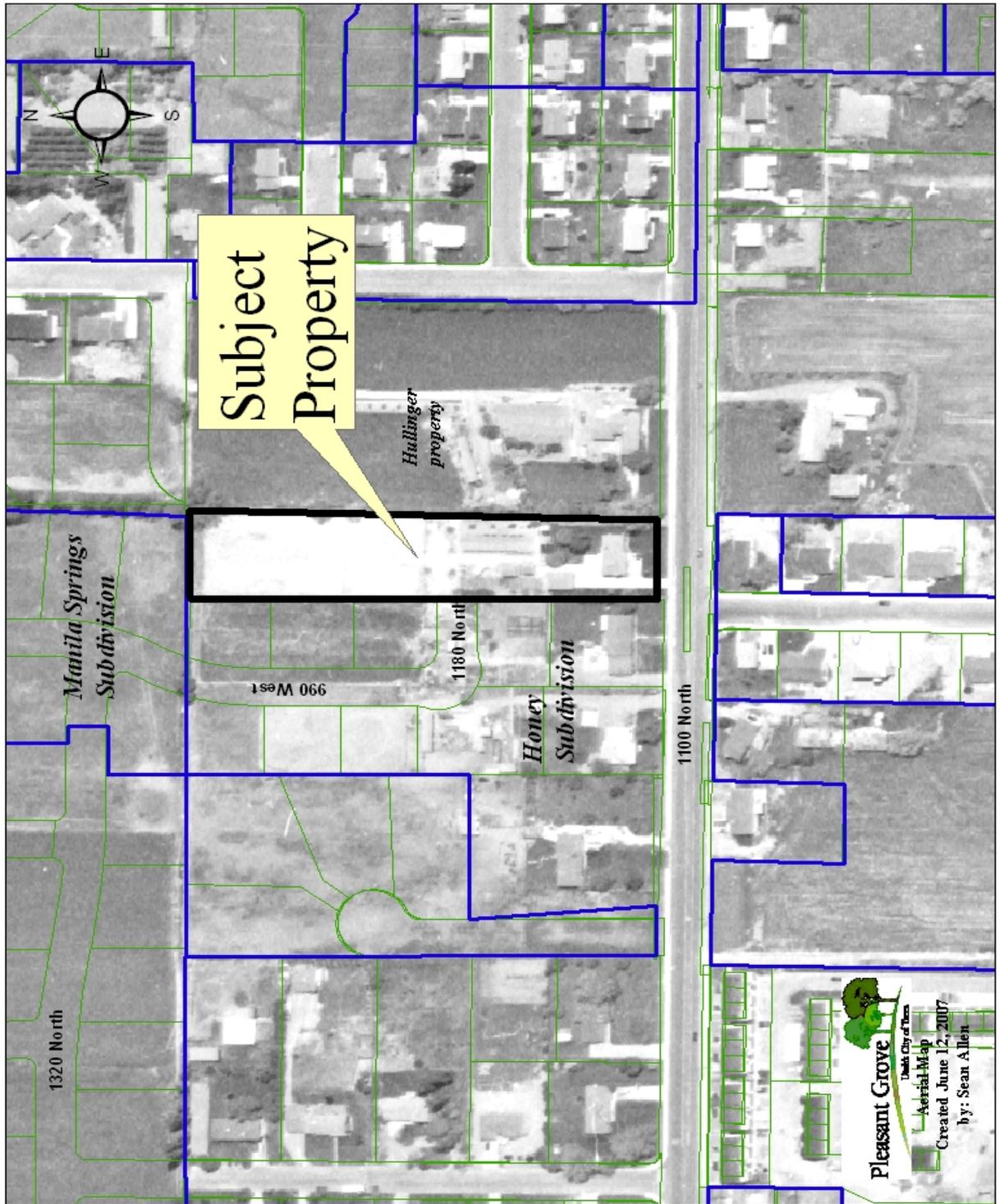
This recommendation is based on the following findings:

1. The proposed subdivision complies with the R1-10 Zoning ordinance.
2. The City is obtaining the necessary ROW and improvements.
3. A turnaround for large vehicles has been supplied.
4. The Planning Commission has approved the Plat.
5. The concern with double frontage on lot #1 has been addressed by the Commission and was included in the motion to approve the Plat.

MODEL MOTIONS:

- Sample Motion for Approval – “I move that the Council approves the Final Plat called, *Autumn Grove Subdivision Plat "B,"* for the applicant James Hancock, including the following conditions:
 1. List any additional conditions....
- Sample Motion for Denial – “I move the Council to deny the Final Plat called *Autumn Grove Subdivision Plat "B;"* requested by James Hancock, based on the following findings:”
 1. List findings for denial...
- Sample Motion to Postpone – “I move the Council continue the Final Plat proposal for *Autumn Grove Subdivision Plat "B"* until (give date), based on the following findings:”
 1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...





RESOLUTION NO. 2007-

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LETTER OF SUPPORT FOR THE PROVO RESERVOIR (MURDOCK CANAL) TITLE TRANSFER FROM THE FEDERAL GOVERNMENT TO THE PROVO RIVER WATER USERS' ASSOCIATION.

WHEREAS, in 2004, Pleasant Grove City sent a letter to the Utah Delegation in support of H.R. 3391, which authorized the conveyance of title to the Provo Reservoir (also known as the Murdock Canal) from the Federal Government to the Provo River Water Users' Association; and

WHEREAS, title transfer is a precursor to obtain State funding for the enclosure of the canal; and

WHEREAS, residents of Pleasant Grove City will receive significant benefits from enclosure of the canal through enhanced public safety and the ability to use the canal corridor for public recreation; and

WHEREAS, other benefits of enclosure will include water savings, improved water quality, a more reliable water supply and environmental benefits; and

WHEREAS, a possible delay in the transfer has arisen; and

WHEREAS, Pleasant Grove City desires to express its support for a speedy transfer.

BE IT THEREFORE RESOLVED by the City Council of Pleasant Grove, Utah, as follows:

SECTION 1.

1. The Mayor is hereby authorized to sign a letter, which is attached hereto as Exhibit A, of support for the Provo Reservoir (Murdock Canal) Title Transfer.

SECTION 11.

The provisions of this Resolution shall take effect immediately.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF PLEASANT GROVE, UTAH, this 7th day of August, 2007.

Michael W. Daniels , Mayor

ATTEST:

(SEAL)

Amanda R. Fraughton, CMC
City Recorder

Dear Congressman Cannon: (Also to be mailed to Senator Hatch and Senator Bennett)

In 2004, Pleasant Grove City sent a letter to the Utah Delegation in support of H.R. 3391, which authorized the conveyance of title to the Provo Reservoir (also known as the Murdock Canal) from the federal government to the Provo River Water Users' Association. We greatly appreciate your efforts and the efforts of the other Members of the Utah Congressional Delegation that resulted in the passage of the Provo River Project Transfer Act (the "Act").

As you know, title transfer is a precursor to obtain state funding for the enclosure of the canal. We believe the residents of Pleasant Grove City will receive significant benefits from canal enclosure through enhanced public safety and the ability to use the canal corridor for public recreation. Other benefits of enclosure will include water savings, improved water quality, a more reliable water supply, and environmental benefits. We eagerly await completion of the project, and the realization of these benefits,

The Act calls for reservation by the federal government of such easements as are "reasonable and necessary" for Central Utah Project facilities. We understand a dispute has arisen regarding the scope of the federal reserved easement and that the inability of the parties to resolve this issue threatens to delay title transfer. We also understand that the state funding expected to be used for the enclosure project may be available only for a limited time, and delay in title transfer may result in such funding being allocated to other projects. We hope as the reasonable needs of all stakeholders are evaluated, that a proper balance can be reached so this issue can be resolved in a manner that is satisfactory to all parties.

We strongly express our support to those who are working to facilitate title transfer of the Provo Reservoir Canal and encourage the federal government and all parties to expedite this process so that the expected benefits of title transfer and canal enclosure can be realized.

Thank you for your assistance and support in this worthwhile effort.

Sincerely,

Michael Daniels
Mayor, Pleasant Grove City

RESOLUTION NO. _____

**A RESOLUTION OF THE GOVERNING BODY OF PLEASANT GROVE CITY
AUTHORIZING THE MAYOR TO SIGN AN ASSESSEMENT AGREEMENT
BETWEEN AMERICAN FORK CITY, LEHI CITY, AND PLEASANT GROVE
CITY AND THE TRICITY GOLF COURSE INTERLOCAL AGENCY**

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, 1953, as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into written agreements with one another for joint or cooperative actions; and

WHEREAS, the City has previously entered into Agreements with American Fork City and Lehi City to cooperatively own and operate a golf course known as “Fox Hollow Golf Course;” and

WHEREAS, A separate legal entity known as the Tri City Golf Course Interlocal Agency (TCIA) has previously been created to cooperatively own, operate and maintain the Fox Hollow Golf Course; and

WHEREAS, Said entity is in the process of bonding to finance several capital facility improvements; and

WHEREAS, the Pleasant Grove City desires to promote the health, welfare and enhance the quality of life for its citizens, including the operation, maintenance and enhancement of the Fox Hollow Golf Course; and

WHEREAS, The Utah Interlocal Cooperation Act (the “Interlocal Cooperation Act”), provides that two or more public agencies may, by agreement, jointly exercise any power common to the contracting parties, and may share their taxes and other revenue to accomplish their stated objectives; and

WHEREAS, The Utah State Constitution provides that a political subdivision of the State may share its tax and other revenues with another political subdivision of the State as provided by statute; and

WHEREAS, To facilitate the financing of the acquisition and construction of the capital facility improvements, thereby benefiting the City and its inhabitants, the City desires to enter into this Agreement to pledge its Tax Revenues herein described to assure the payment of principal and interest on the bonds as well as operation and maintenance costs when needed.

NOW THEREFORE, BE IT RESOLVED by the City Council of Pleasant Grove, Utah as follows:

Section 1.

The Mayor is hereby authorized to sign Assessment Agreement regarding the Fox Hollow Golf Course, operated by the Tri City Interlocal Agency which is attached hereto as Exhibit "A."

Section 2.

The provisions of this Resolution shall take effect immediately.

PASSED AND ADOPTED BY THE CITY COUNCIL OF PLEASANT GROVE, UTAH, this _____ day of _____, 2007.

Mayor Michael W. Daniels

ATTEST:

Mary Burgin,
Deputy City Recorder

RESOLUTION NO. _____

**A RESOLUTION OF THE GOVERNING BODY OF PLEASANT GROVE CITY
AUTHORIZING THE MAYOR TO SIGN A GROUND LEASE AGREEMENT
BETWEEN AMERICAN FORK CITY, LEHI CITY, AND PLEASANT GROVE
CITY AND THE TRICITY GOLF COURSE INTERLOCAL AGENCY**

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, 1953, as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into written agreements with one another for joint or cooperative actions; and

WHEREAS, the City has previously entered into Agreements with American Fork City and Lehi City to cooperatively own and operate a golf course known as “Fox Hollow Golf Course;” and

WHEREAS, A separate legal entity known as the Tri City Golf Course Interlocal Agency (TCIA) has previously been created to own, operate and maintain the Fox Hollow Golf Course; and

WHEREAS, Said entity is in the process of bonding to finance several capital facility improvements; and

WHEREAS, the Pleasant Grove City desires to promote the health, welfare and enhance the quality of life for its citizens, including the operation, maintenance and enhancement of the Fox Hollow Golf Course; and

WHEREAS, portions of said golf course are owned by the three member cities and portions are owned solely by American Fork City; and

WHEREAS, Pleasant Grove City desires to enter into this Ground Lease Agreement to facilitate the operation, maintenance, expansion, and construction of said capital facilities;

NOW THEREFORE, BE IT RESOLVED by the City Council of Pleasant Grove, Utah as follows:

Section 1.

The Mayor is hereby authorized to sign the Ground Lease Agreement regarding the Fox Hollow Golf Course, operated by the Tri City Interlocal Agency which is attached hereto as Exhibit “A.”

Section 2.

The provisions of this Resolution shall take effect immediately.

PASSED AND ADOPTED BY THE CITY COUNCIL OF PLEASANT GROVE, UTAH, this _____ day of _____, 2007.

Mayor Michael W. Daniels

ATTEST:

Mary Burgin,
Deputy City Recorder

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 8-8-35 OF THE PLEASANT GROVE MUNICIPAL CODE MAKING IT UNLAWFUL TO VIOLATE THE WATERING SCHEDULE SET FOR THE PRESSURIZED IRRIGATION SYSTEM AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, establishing a pressurized irrigation service conserves the resources necessary to process culinary water for the citizens of Pleasant Grove; and

WHEREAS, conservation of said resources is cost effective and it saves the citizens of Pleasant Grove money by not having to process as much culinary water for drinking water use; and

WHEREAS, the State of Utah has declared its intent to promote the conservation of drinking water; and

WHEREAS, pressurized irrigation is an important part of the City's overall water conservation plan; and

WHEREAS, water conservation promotes the health, safety and welfare of the citizens of Pleasant Grove; and

WHEREAS, the public works superintendent is authorized to schedule the use of the pressurized irrigation system when it is determined that a schedule is necessary to meet the demands of the system; and

WHEREAS, the City has determined that it is necessary to schedule use of the system in order to meet the current demands of the system; and

WHEREAS, the public works superintendent has established a schedule for this watering year; and

WHEREAS, the City desires to clarify the enforcement mechanism for violating said schedule.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Pleasant Grove City, Utah County, State of Utah as follows:

Section 1.

Title 8 Chapter 8 Subsection 35 shall be amended to read:

Section 8-8-35 Schedule of Use:

The Public Works Superintendent may schedule the use of the Pressurized Irrigation water, in the event it is determined that the use needs to be scheduled in order to meet the demands of the system. It shall be unlawful for anyone to violate the watering schedule established by the public works superintendent.

Section 2. SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses or phases of this Ordinance.

Section 3. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and posting as provided by law.

Section 4. **APPROVED AND ADOPTED AND MADE EFFECTIVE** by the City Council of Pleasant Grove City, Utah County, Utah, this 7th day of August, 2007.

Michael W. Daniels, Mayor

ATTEST:

(SEAL)

Amanda R. Fraughton, CMC
City Recorder

VACANCY APPLICANTS:

George Church
Melissa K. Finch
Richard W. Ables
Barbara J. Wells
Peter Bowen
Erin Daniel
Jeffrey D. Wilson
Jay F. Meacham