

**Pleasant Grove City Council Minutes**  
**August 21, 2007**  
**7:00 p.m.**

PRESENT:

Mayor:

Mike Daniels

City Council Members:

Cindy Boyd

Lee G. Jensen

Mark Atwood

Jay Meacham

Bruce Call

Deputy Recorder:

Mary Burgin

Others:

Frank Mills, City Administrator

Gary Clay, Director of Finances

Deon Giles, Leisure Services Director

Ken Young, Supervisor of Community Development

Tom Paul, Police Chief

Marc Sanderson, Fire Chief

Richard Bradford, Director of Economic Development

Libby Flegal, Neighborhood Chair

The City Council and staff met at the City Council Chambers (south entrance), 86 East 100 South, Pleasant Grove, Utah.

Mayor Daniels called the meeting to order at 7 p.m. and welcomed everyone to the meeting.

**1. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance led by Administrator Mills.

**2. OPENING REMARKS**

The Opening Remarks were given by Council Member Call.

**3. APPROVAL OF MEETING'S AGENDA**

Mayor Daniels noted that the noticing for the approval of the new Planning Commissioners had not taken place and would be taken up at the next Council meeting. Director Young then explained that Mr. Robert Rainaldi's nomination for the Commission had been noticed and was eligible. The Mayor then asked for a motion.

**ACTION:** Council Member Boyd moved to approve the meeting's agenda, with only Mr. Robert Renaldi being appointed as an alternate to the Planning Commission, with a term length from August 23, 2007 to January 15, 2011. Council Member Call seconded and the motion

passed unanimously with Council Members Call, Atwood, Jensen, Boyd and Meacham voting “Aye.”

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 appointment of new member to the Planning Commission (Dallin Nelson).
7. To consider approval of Change Order #3 and Final Payment to Chad Broderick Construction, Inc. for the Mahogany Park Project.
8. To consider approval of Partial Payment No. Two and Change Order No. Two to J. Lynne Roberts & Sons for the Manila Tank Park Land

Director Young then came forward and read a biography of Mr. Renaldi. He then invited Mr. Renaldi to come forward and say a few words. Mr. Renaldi then addressed the Council and explained that he appreciated the opportunity to serve the community. He also said he had never had this kind of opportunity before, and was looking forward to being a part of the Commission.

Director Young then explained that Mr. Dallin Nelson had been approved by the Council at a previous meeting, but he wanted to explain that Mr. Nelson was being installed as an Alternate to the Commission.

Next, Arts Commission Chair Heather Pack came forward and read biographies regarding her two new candidates for the Commission, Ms. Verlana Jackman and Ms. Wendy Vincent. She noted that both of the candidates were very qualified to serve.

**ACTION:** Council Member Boyd moved to approve the consent items as written. Council Member Call seconded and the motion passed unanimously with Council Member Call, Atwood, Jensen, Boyd and Meacham voting, “Aye.”

**5. OPEN SESSION**

Mayor Daniels asked if there was anyone who wanted to come forward in an open session format. He asked if they would state their name and address and noted that they needed to limit their comments to two minutes or less.

Mr. Duane Day identified himself as the president of the Pemberley Homeowner’s Association (HOA). He said he was at the meeting to find out the current status on UTOPIA, which had been discussed three weeks previous in Council Meeting. He said the HOA was looking to change their internet access to UTOPIA, and was wondering if the City was going to sign a franchise

agreement. He also wondered what the general feeling was from the Council concerning The UTOPIA presentation.

Mayor Daniels indicated that he and Administrator Mills should probably address Mr. Day's concerns. He said that they have now had the UTOPIA people present to them twice. The Mayor said that UTOPIA and Pemberley can come together and make their own agreement. However, he said if the Council decides they would like to become a voting member of the company and put several thousands of dollars into the deal, a franchise agreement would need to be signed by the City. Also, he said there is the option of becoming a voting or non-voting member—which is also contingent upon a fee paid to UTOPIA. The Mayor said that as of the preceding week, a proposed agreement had been completed between the City and UTOPIA.

Administrator Mills said that UTOPIA would come in and complete the work with Pemberley, after they had secured a bond and other necessary right-of-ways (ROW) in the area. Also, he said a feasibility study would need to be completed prior to the work starting.

The Mayor said that unlike Comcast, which is a private corporation, UTOPIA is a quasi-government agency. Mr. Day also said that Comcast lays copper pipe; whereby UTOPIA lays fiber optic lines. The Mayor said that users can pay to use UTOPIA's lines. Mayor Daniels also went on to say that if Pleasant Grove City does sign an agreement with UTOPIA, it will be for the entire City, not just The Grove area.

## **6. NEIGHBORHOOD ADVISORY BOARD REPORT**

NAB Chair Libby Flegal said that she didn't really have anything to report to the Council regarding the NAB.

## **7. BUSINESS**

### **A. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING A PROPOSED AMENDMENT TO SECTION 10-9A, "RURAL RESIDENTIAL ZONE R-R," OF THE PLEASANT GROVE CITY MUNICIPAL CODE, TO CREATE CODE SUBSECTIONS FOR TWO NEW RURAL RESIDENTIAL ZONES, TO BE KNOWN AS "RR-1-20,000" AND "PR 2.2." MANILA NEIGHBORHOOD**

Mayor Daniels read this item. Supervisor Young explained to the Mayor and Council that this Zoning Ordinance Amendment had been generated by Staff in the Community Development Department of the City. The area is in The Grove Zone. It would amend Section 10-9A to create code for two new rural residential zones. These would be named RR-1-20,000 and PR 2.2.

The Pleasant Grove City Council has recently worked with Cedar Hills to try to achieve agreements for boundary adjustments and/or utility service provision. This was a result of several requests by property owners in either city to have their property adjusted, disconnected or serviced by the other city. Attempts to achieve a boundary adjustment agreement with Cedar Hills on these issues have failed.

It was determined by the City Council that outside of a boundary adjustment, most of the property concerns could be addressed through, 1) an interlocal agreement for utility services, and

2) rezoning of those Pleasant Grove properties adjacent to Cedar Hills located north of the canal to a zoning designation similar to Cedar Hills zoning.

Unfortunately, Supervisor Young noted that attempts to establish an interlocal utility services agreement with Cedar Hills have also failed. Those properties in this area of Pleasant Grove that cannot be serviced by the City may have no other recourse than to seek disconnection from The City. He said there are, however, other property owners who have sought adjustment or disconnection for zoning lot size reasons. In reviewing the zoning of the North Manila area, it has been suggested that it may be beneficial to have contiguous and complimentary zoning throughout area, regardless of existing city boundaries.

The zoning amendment being proposed will create two new zones similar to those used by Cedar Hills in this area; RR-1-20,000 and PR 2.2. The RR-1-20,000 zone is very similar to our existing R-R zone. The main difference is that a minimum lot size can be 20,000 sq ft instead of 21,780 sq ft (1/2 acre). It is a hybrid of our existing R-R and R1-20,000 (which has no animal rights) zones. It may be debated that the City's zoning needs are already covered by these existing zones. The main reason for establishing this new hybrid zone is to create continuity and equality amongst neighboring properties, to eliminate any need or desire to disconnect based on zoning reasons.

He said that the other new zone being proposed, PR 2.2 is not similar to any existing Pleasant Grove zoning districts. It is currently applied to an area in Cedar Hills, just north of the canal and between 900 West and Canyon Road. The purpose of this zoning is to allow development of various large sized lots within a development and encourages the use of open spaces, parks and community uses with an overall maximum gross density of 2.2 units per acre. On the average, this would equate to a lot size of approximately .39 of an acre (17,000 sq ft), but encourages a mix of both larger and smaller lot sizes. In overall density, it falls between the R1-15,000 and R1-20,000 zoning designations.

At this time, the proposal is limited to creating the code for the two new zones, and does not propose their application on any properties. This is to allow for sufficient review of the proposed code prior to involving the affected property owners in a public hearing. Attached is a map showing staff's proposal of how these zones might be applied if and after the code amendments are approved.

Council Member Meacham asked about a small, triangular piece on Canyon Road. He said when the Planning Commission was discussing the changes in these zones, that section had been designated differently than was shown on the map. Commissioner Blake agreed. Planner Allen said that Commissioner Corry had given him the exact coordinates, and he had carefully followed those instructions.

Council Member Boyd asked about the side hill area of the map on the east. Supervisor Young indicated that it is an RR zone. She then asked what Pleasant Grove zone would match R1-17. Supervisor Young said that Pleasant Grove really doesn't have a zone that comes close to that zone.

Council Member Call asked if there was really a large group of people that want to change their zones and cities. He asked if this whole change of zones was necessary. Supervisor Young answered that he personally couldn't really see the need to change the zones. He said when the

cities were in talks, the service agreement was coupled with this proposed zone change. He noted that the issue was now coming before the Council as a belated second part of the failed agreement. He said his staff was just completing what was started. Council Member Call remarked that from what he had just seen, he couldn't see making the change in zones in that area. He noted that he felt the real question with residents in that area was services, and not so much lot size.

Mayor Daniels then opened the discussion to a public hearing. There were no comments. He then closed the public hearing and brought the discussion up to the Council. There were no further comments from the Council. He asked for a motion.

**ACTION:** Council Member Atwood moved to deny an Ordinance regarding a proposed amendment to Section 10-9A, "Rural Residential Zone R-R," of the Pleasant Grove City Municipal Code, to create code subsections for two new rural residential zones, to be known as "RR-1-20,000" and "PR 2.2." Council Member Call seconded and the motion passed unanimously with Council Members Call, Atwood, Jensen, Boyd and Meacham voting, "Aye."

**B. PUBLIC HEARING TO CONSIDER DMB INVESTMENTS' REQUEST FOR APPROVAL OF THE GROVE CREEK CENTER PHASE I COMMERCIAL SITE PLAN; FOR PROPERTY LOCATED AT APPROXIMATELY 800 SOUTH GROVE PARKWAY; COMPRISING 6.03-ACRES, IN THE INTERCHANGE SUB-DISTRICT OF THE GROVE ZONE. SAM WHITE'S LANE NEIGHBORHOOD**

After Mayor Daniels read this item, Planner Allen remarked that this was a request by DMB Investments to consider Final Site Plan approval for Grove Creek Center Phase I at approximately 800 South Grove Parkway. The property is in the Grove Interchange subdistrict and is comprised of 6.03 acres.

Planner Allen explained that the applicant has established a development plan for a large professional office park that would comprise 11.37 acres, which is directly north of the BMW dealership. There would be a total of four office buildings, with Phase I being the largest of the four. Phase 2 is to the southwest, and Phase 3 will be the two remaining office buildings to the east.

Additionally, he noted that The University of Phoenix was seeking to obtain approval to construct a new building directly south of Phase 2. He said Staff has requested that the applicant tie this proposal together with the design of the Grove Creek Center Site, so the future office park will look more like a five building development when completed.

The main access to Phase 1 will be provided by a private entry drive that ties into the existing Grove Parkway from the northwest. The secondary access will be from the north, which is off Sam White's Lane (700 South). The south half of Sam White's Lane is to be dedicated to the City. All improvements are to be installed, including the completion of the roundabout located in Grove Parkway. The Site is pedestrian friendly, and is ADA accessible from the public street, and through the main entry.

The building is to be a four-story building designated for office-type uses. Based on the "net" or space available for leasing of the building, which the applicant claims to be 68,870 square feet,

230-parking stalls are required. If based on a gross square footage of 85,228, then 284-parking stalls are required. The applicant has provided a total of 422-stalls, including the correct number of ADA stalls, in this first phase of development.

It is understood that some of the total “provided” parking is to be used by the other phases. If that parking were to be taken out, Phase I would still meet the required parking figure. For example, if Phase I were to give up the first two double-parking rows, located in front of the future Phase 2 building, and the entire parking row along the east side of the main entry, then Phase 1 would still be approximately twenty (20) stalls over its required amount. Based on the intended use, and square footage planned for the future phases, the applicant will have ample parking for each building.

An overall site plan has been designed to revolve around the theme of Phase I. Therefore, if Phase I is approved, the overall theme is approved for the office park area. The site is situated adjacent to the south side of Sam White’s Lane, and centered between future phases 2 and 3, which is north of the proposed University of Phoenix site and the existing BMW dealership. The building is to face the southeast, nearly parallel to the I-15 corridor, with the front door aligned two roundabouts, which are at each end of the main entry drive. The applicant has agreed to install a water fountain in the center of each roundabout, highlighting the entry to the office park. The following are additional site items that have been addressed by Staff:

- (Lighting) – The applicant shall provide on-site lighting that will be shielded to prevent glare to neighboring multi-family residential units.
- (Fire/ADA) – Fire hydrants are illustrated on the Site Plan, and located according to ordinance and department request. All drives meet the minimum access width required by the Fire Department. Sidewalks have been provided throughout the site, and from the public road, and adhere to ADA requirements.
- (Landscape Buffer) – The buffer is required to be a minimum 25’ wide measured from the back of curb, along a public street. This would apply to Sam White’s Lane and Grove Parkway. An applicant may request Council to allow up to a 5 ft. reduction on this buffer, as an exception, to the ordinance, if certain enhancements to the landscaping and architecture are provided. For this proposal, the applicant would like to utilize this option, by requesting the Council to allow a 20 ft. wide buffer, based on the following enhancements:
  - Decorative landscaping installed on each side of the public corridors leading from P.G. Blvd to the proposed site. This includes the planting of many additional trees, including evergreens.
  - This Phase shall include the installation of two water fountain features, which includes the large roundabout in the City ROW.
  - Nine benches & two tables for outdoor sitting and gathering in landscaped areas.
  - Upgraded exterior materials, which gives more flexibility in the design of the buildings.

The applicant has provided a Landscaping Plan specific to the Phase I project area. There shall be a 5 ft. wide landscape strip between the curb and sidewalk along Sam White's Lane. The remaining landscaping on the south side of the sidewalk, along this roadway, shall include a 2 ft. tall berm throughout to comply with The Grove ordinance. The following items of significance with this plan:

- (Trees) – Ordinance requires one tree per one thousand square feet of landscaped area (1/1000) with 30% of this total number having to be minimum 7' tall evergreens. The plan has provided 36,210 square feet of landscaped area; therefore (36) total trees are required with (11) of these having to be evergreens. Phase I has provided 127 trees, which includes 42 evergreens, far exceeding the required numbers. It should be noted that the trees already planted off-site, along the public streets, were provided by the applicant to help enhance the surrounding area, and are not included in the totals above.
- (Open Space) – The amount of Open Space required for a commercial project, in the Grove Zoning District, is to be a minimum 10% of the project area. The applicant has provided the 10%, and has also been cooperative with suggestions, made by City Staff, to provide benches, tables and other sitting areas, that make the space usable, and not just a landscaped area. The Open Space areas have been labeled on the Site Plan, and further illustration can be seen on the Landscaping Plan.

All landscaped areas are to be properly irrigated with an underground sprinkling system, which is noted on the plan. Bark mulch is not to be used, because it can be easily washed away, and ends up in the storm drain system. City Staff recommends using a medium to large cut river rock in its place. This was also recommended by the DRB.

The architect has used traditional design techniques for the structure of the building. The exterior materials are a mix of Terra-Neo, stucco, metal, & glass. The Terra-Neo material is a new material that is a custom made granulated rock facing, which allows for greater flexibility in the building design, and is more durable than stucco. The materials proposed are earth tone in color, and combined, create a very pleasing look. On August 8, 2007 the Design Review Board (DRB) reviewed all items concerning this development, and has given a recommendation to approve the Site Plan.

There will be on-site detention. JUB Engineering has reviewed the plans, and has given a recommendation to move forward with Final Site Plan approval for Phase I. The proposal complies with the goals and objectives found within The Grove District. The proposal complies with the conditions and restrictions of the Grove Interchange Sub-district Zone, and all other Supplementary regulations.

The applicant has supplied the City with a comprehensive layout of the entire Grove Creek Center project area, which allows Staff to determine exactly how each of the Phases tie together. This is always important, but especially significant, because a subdivision plat has not been submitted. It is ok to adopt a phased development plan; however, at some point in the near future, the applicant is going to need to submit a subdivision plat proposal to clean up the existing parcel boundaries, and to provide the applicant with the option to sell off one or all of the future buildings, if he so chooses. The Plat is also needed for recording the road dedication

and easements. Staff recommends that this process be completed within a maximum one year of Site Plan approval.

Based on The Grove approval process, and that the proposed use (office) is permitted in the zone, the proposal does not require an approval or recommendation from the Planning Commission, only the Design Review Board, and then Council may grant Final approval.

The applicant intends to complete all the improvements shown in Phase I, which also includes nearly all of Phase 2. The only unimproved areas for Phase 2 shall be the building pad, parking around the building pad, and the area directly west of the building pad. Due to the extent of the improvements illustrated for Phase 1, Staff does not have a concern with the separate construction of Phases 2 and 3.

Council Member Jensen asked what the zoning required for open space in this area. Planner Allen said 10% open space is required. Council Member Jensen asked what that would include. Planner Allen explained that the open space will include areas where individuals and groups can sit and eat or read or just relax. He added that the areas are small, but usable.

Mayor Daniels next opened the discussion to a public hearing. Mr. Herb Karlson asked if there was just entrance to the development. Mayor Daniels said no, there were four entrances to the development. He then asked how many total parking spaces there were. Planner Allen reported there were 422 parking spaces, total. Mr. Karlson then asked if most of the traffic would be going through the round-about at the front of the complex. Mayor Daniels showed on the map (on the screen) that the round-about was actually set back into the complex, and not on the road. The Mayor also noted that once the roads and the proposed signals in the area that are under current construction are completed, the current traffic congestion will be relieved. Mr. Clark MacFarlane with Ensign Engineering agreed. He said that the current problems in the morning and evening with traffic in that area will go away with the signalization and completion of the main routes through that area.

Mayor Daniels expressed his appreciation for the questions. He said that area was heading toward huge growth, so the careful planning that had taken place would help with traffic congestion. Additionally, he indicated that in areas where round-about have been installed, including at the south entrance of UVSC, they are very efficient in quickly and safely moving a lot of traffic. The Mayor then closed the public hearing and brought the discussion up to the Council. He asked for any remarks or questions from them. There were none. He then asked for a motion.

**ACTION:** Council Member Call moved to approve DMB Investments' request for approval of the Grove Creek Center Phase I Commercial Site Plan; for property located at approximately 800 South Grove Parkway; comprising 6.03-acres, in the Interchange Sub-district of The Grove Zone, including the following conditions; including the following conditions; 1. All Final Engineering, Planning and Fire Department requirements are met, and completed prior to recording. Also, based on the following findings; 1. The proposal meets all the standard requirements for a Final Plat submittal in the MD zone. Council Member Jensen seconded and the motion passed unanimously with Council Members Atwood, Jensen, Call, Boyd and Meacham voting, "Aye."

**C. PUBLIC HEARING TO CONSIDER HEWSON COMPANY'S REQUEST FOR APPROVAL OF THE UNIVERSITY OF PHOENIX COMMERCIAL SITE PLAN; FOR PROPERTY LOCATED AT APPROX. 821 SOUTH GROVE PARKWAY; COMPRISING 2.98-ACRES, IN THE INTERCHANGE SUB-DISTRICT OF THE GROVE ZONE. SAM WHITE'S LANE NEIGHBORHOOD**

Following Mayor Daniels reading this item, Planner Allen indicated that several people that were involved with the Hewson Company were present for the meeting.

Planner Allen explained that the final site plan for The University of Phoenix building was to be presented to the Council as a public hearing. He said the applicant was the Hewson Company. The address of the building is approximately 821 S. Grove Parkway in the Grove Interchange subdistrict. The site sits on 2.98 acres.

He next explained that the applicant's proposal is part of a larger development plan for a large professional office park called the Grove Creek Center, directly north of the BMW dealership. The intent is to have a 2-story building, with the University of Phoenix being the primary owner, using the first floor, with the second floor to be available for various office uses.

The main access to the site will be provided by connecting a private entry drive to the existing Grove Parkway from the west. Since the site is being designed into the Grove Creek Center development, there will be cross-access between the two developments in every direction.

He explained that in the southwest corner, the site has provided a stub road to the west to allow for any future development to have cross-access from that direction. The site is pedestrian friendly, as well as ADA accessible from the public street. The Site Plan illustrates crosswalks that lead from The Grove Parkway to the southeast corner of the building. Another crosswalk has been provided at the northeast corner to extend ADA access to The Grove Creek Center development.

The building is to be a two-story building designated for the university and office-type uses. City Ordinance requires two parking stalls for every three students plus one per staff member. The University has indicated they are planning to have 186 students and 20 staff members. Following the City ordinance, this calculates out to a required amount of 144 stalls.

The Site Plan indicates that the office portion of the building comprises 16,548 square feet. The parking ratio for office is 1 per 300 square feet of space; so 55 stalls are required, based on the given square footage for office use. The total required parking for the building comes to 199-stalls. The Site has provided 232 stalls; with 75 of them designated as shared parking. The shared parking is located in the two double parking rows on the east side of the site. The University will use this parking during the evening hours, and The Grove Creek Center will be permitted to use this parking during daytime hours. He said that the CityStaff has no concerns with the provided parking.

The Site Plan has been adopted as part of the overall Grove Creek Center theme, even though it is a separate site. The site is situated north of the existing BMW dealership, and the property to the west is planned for future annexation into the City. The building is to face the southeast,

with the view of the building from the I-15 corridor virtually unobstructed. The following are additional site items that have been addressed by Staff:

- (Lighting) – The applicant will provide on-site lighting that will be shielded to prevent glare to neighboring multi-family residential units.
- (Fire/ADA) – Fire hydrants are illustrated on the Site Plan, and located according to ordinance and department request. The drives around the building meet the minimum access width required by the Fire Department. Sidewalks have been provided throughout the site, and from the public road, will adhere to ADA requirements.
- (Landscape Buffer) – The buffer is required to be a minimum 25 ft. wide measured from the back of curb, along a public street. This would apply to the small section of Grove Parkway that the site connects to. An applicant may request Council to allow up to a 5 ft. reduction on this buffer, as an exception, to the ordinance, if certain enhancements to the landscaping and architecture are provided. For this proposal, the applicant would like to utilize this option, by requesting the Council to allow a 20 ft.-wide buffer, based on the following enhancements:
  - Decorative landscaping installed on each side of the public corridors leading from P.G. Blvd to the proposed site. This includes the planting of many additional trees, including evergreens.
  - Several outdoor seating areas have been provided on the site and around the building.
  - Upgraded exterior materials, which gives more flexibility in the design of the buildings.

This proposal was designed simultaneously with The Grove Creek Center proposal, so the enhancements and upgrades are virtually shared. The only difference between the two is there is not a water feature on the University of Phoenix site.

The applicant has provided a Landscaping Plan specific to the project area. There will be a 5 ft. wide landscape strip between the curb and sidewalk along Grove Parkway. The remaining landscaping shall consist of trees, grass, and planter beds.

- (Trees) – Ordinance requires one tree per one thousand square feet of landscaped area (1/1000) with 30% of this total number having to be minimum 7 ft. tall evergreens. The plan has provided 14,621 square feet of landscaped area; therefore 15 total trees are required with 5 of these having to be evergreens. The site has provided 44 trees, which includes 11 evergreens, which exceed the required numbers. It should be noted that the trees already planted off-site, along the public streets, were provided by the previous owner of the land to give credit to the University and Grove Creek Center Development.
- (Open Space) – The amount of Open Space required for a commercial project in the Grove Zoning District, is to be a minimum 10% of the project area. The applicant has provided the 10%, and has also been cooperative with suggestions made by City Staff to provide benches, tables and other sitting areas that make the space usable without being

just a landscaped area. The Open Space areas have been labeled on the Site Plan, and further illustration can be seen on the Landscaping Plan.

All landscaped areas are to be properly irrigated with an underground sprinkling system, which is noted on the plan. Bark mulch is not to be used. City Staff recommends using a medium to large-cut river rock in its place. This was also recommended by the Design Review Board (DRB).

The architect has used traditional design techniques for the structure of the building. The exterior materials are a mix of Terra-Neo, stucco, metal and glass. The Terra-Neo material is a new material that is a custom made granulated rock facing which allows for greater flexibility in the building design, and is more durable than stucco. The materials proposed are to be earth tone in color.

On August 8, 2007 the Design Review Board (DRB) reviewed all items concerning this development, and has given a recommendation to approve the Site Plan. There will be on-site detention. JUB Engineering has reviewed the plans, and has given a recommendation to move forward with Final Site Plan approval. The proposal complies with the goals and objectives found within The Grove District. The proposal complies with the conditions and restrictions of the Grove Interchange Subdistrict Zone, as well as other supplementary regulations.

The applicant's proposal has been part of a comprehensive layout in a large area being called The Grove Creek Center, which has allowed Staff to properly tie the two developments together. Planner Allen said that Staff recommends that the University site be included in the future Grove Creek Center Plat for the same reasons the plat is being required; to clean up residual parcel boundaries, and to record the public utility easements. All improvements to the site are to be completed with the construction of the building.

Based on The Grove approval process, and that the proposed use (office) is permitted in the zone, the proposal does not require an approval or recommendation from the Planning Commission, only the DRB. The Council may then grant final approval, he explained.

Planner Allen asked the Mayor and Council if they had any questions. Council Member Meacham asked if the parking sharing between the different buildings were based on the times that the buildings will be used. He said he was aware that most of the buildings would be used during the day. However, he noted that The University would be primarily used in the evenings.

Council Member Meacham then asked about the new product called Terinio that would be used on the outside of the building. Mr. Jory Walker, the architect for the building, explained that this was a new product made from stucco, but has a longer life and looks like real stone. He said he designed a building in Sandy City with the material, and even though it has a fairly high price tag, it has remained beautiful.

Council Member Jensen asked when the approximately date would be for the ground breaking for this project. Mr. Walker said around September 1, 2007. He said the project was slated to be completed in approximately 10 months.

Mayor Daniels then opened the discussion to a public hearing. Mr. Karlson asked about the parking with the new university site. Mayor Daniels explained that the number that the university would have would be in cross-use with the other buildings in the area. He again reminded everyone that the university would primarily be used in the evenings, so parking would be easy to find for students and faculty.

Planner Allen said that this project, as well as the adjoining project, were being put through the new fast-track approval system that the Community Development Department was now offering developers. Mr. Walker agreed and said that he was very impressed with the Staff and how smoothly the system was working. He added that the project had passed by the DRB the first time it went before them. He added that due to several meetings with Planner Allen, the bugs were worked out prior to the project going before various entities for passage. Mr. MacFarlane agreed. He said that JUB and Horrocks' engineers resolved issues quickly when they were submitted. He added that they were very good to work with.

**ACTION:** Council Member Jensen moved to approve Hewson Company's request for approval of the University of Phoenix Commercial Site Plan; for property located at approx. 821 South Grove Parkway; comprising 2.98-acres, in the Interchange Sub-district of The Grove Zone including the following conditions: 1. Any dead trees or plant material is to be replaced within one year; 2. That the property be included in the future Grove Creek Center subdivision plat; 3. That all Final Planning, Engineering, Public Works, and Fire Department requirements are met prior to the issuance of a building permit. Also, based on the following findings; 1. The proposed Site Plan submittal complies with The Grove Zoning District requirements; 2. JUB Engineering has given a recommendation to grant Final approval for the proposed site; 3. A development has been submitted and received a positive recommendation from City Staff; 4. The development will help increase the demand for services to The Grove District, which will help foster more commercial growth. Council Member Boyd seconded and the motion passed unanimously with Council Members Meacham, Boyd, Call, Atwood and Jensen voted "Aye."

**D. PUBLIC HEARING TO CONSIDER FOREST LINE CONSTRUCTION'S REQUEST TO VACATE LOT 3 OF THE SAM WHITE PARK SUBDIVISION, PLAT "A," AND TO CREATE LOTS 301 THROUGH 304 TO BE CALLED GROVE BUSINESS PARK I SUBDIVISION; LOCATED AT APPROX. 822 SOUTH 490 WEST, IN THE MD (MANUFACTURING DISTRICT) ZONE. SAM WHITE'S LANE NEIGHBORHOOD**

Following Mayor Daniels reading this item, Planner Allen indicated that this item was a request from Forest Line Construction for a final plat proposal to be called the Grove Business Park I Subdivision, including the vacation of lot # 3 of the Sam White Park Subdivision Plat A. The property is located at approximately 822 South 490 West in the MD/Manufacturing Distribution zone and is comprised of approximately 5.70 acres. He said the applicants are asking for the Council to approve the proposal to vacate lot #3 of the Sam White Park Subdivision Plat A, and create lots 301 – 304, which are to be known as the new Grove Business Park I Subdivision Plat.

Planner Allen went on to explain that the applicant was proposing to create a new subdivision called the Grove Business Park 1, with four new lots numbered 301 to 304. He said the request was a result of the construction of four new buildings, with the intent of having a separate lot for each building. A fifth building was being constructed, at the far south end of the property. The applicant initially requested a five-lot subdivision, but there was not enough property to meet the

lot size requirement for this lot in the MD Zone. The applicant made the attempt to obtain a variance; however, the Board of Adjustment denied this request, and now the applicant wanted to move forward with the four lot subdivision design. In order to accomplish this, lot #3 of the Sam Whites Park Subdivision Plat A, would have to be vacated.

The main access to all proposed lots will be from 490 West. The remaining 490 West road right-of-way will be dedicated to the City; down to the south end of the proposal. Mr. Warburton has dedicated the east half through a recently approved Plat called Same White Park Subdivision Plat B. The applicant owns the adjacent property to the west, and is proposing to develop that property as well. There will be access from this west end when that develops, so for that reason, this Plat proposal illustrates a cross-access easement along this west boundary.

The subject property falls within the Light Industrial District on the City's Land Use Map. The creation of a new subdivision plat does not conflict with The General Plan, unless specific zoning requirements are not met. The proposal is within the MD zone, and is subject to those requirements. Each proposed lot must meet the minimum lot size and dimension requirements for the MD zone. These are as follows; 1. Minimum 1-acre lot area; 2. Minimum 100 feet lot width. The applicant has complied with these two requirements. Each lot has been addressed, and the necessary 490 West roadway dedication has been provided, so no other planning or zoning requirements are applicable.

There is a 25 ft. wide drainage, sewer and public utilities easement along the south boundary of lot #304. JUB Engineering has recommended that the Council grant Final Plat approval, subject to meeting all final requirements. Additionally, on July 12, 2007 the Planning Commission granted preliminary plat approval for a four-lot subdivision proposal.

Mayor Daniels asked if Pleasant Grove City was coordinating the continuation of 490 West with Lindon City. Planner Allen said he had not seen anything from Lindon indicating such a move. The Mayor then suggested that the road be an item with the next quarterly meeting between Lindon and Pleasant Grove.

The Mayor then opened the discussion to a public hearing. There were no comments or questions. He then closed the public hearing and brought the discussion up to the Council. There was no discussion. He then asked for a motion.

**ACTION:** Council Member Call moved to approve Forest Line Construction's request to vacate lot 3 of the Sam White Park Subdivision, Plat "A," and to create lots 301 through 304 to be called Grove Business Park I Subdivision; located at approx. 822 South 490 West, in the MD (Manufacturing District) Zone, including the following condition; All Final Engineering, Planning and Fire Department requirements are met, and completed prior to recording. Also, 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. Council Member Meacham seconded and the motion passed unanimously with Council Members Atwood, Call, Jensen, Boyd and Meacham voting, "Aye," "

**E. TO CONSIDER APPOINTMENT OF POLL WORKERS WHO WILL SERVE AS RECEIVING JUDGES, ALTERNATE JUDGES AND COUNTING JUDGES FOR THE SEPT. 11, 2007 MUNICIPAL PRIMARY ELECTION.**

Following Mayor Daniels' reading of this item, Administrator Mills addressed the Mayor and Council and disclosed that the State Code requires that 15 days prior to the election, three receiving poll workers plus an alternate in each precinct be appointed by the municipal legislative body for the upcoming election. Additionally, three counting poll workers must also be appointed for each precinct. The Council is asked to approve the appointment of a list of poll workers, which include receiving, alternate and counting judges. He said the judges must not be related to the candidates, if those candidates are within the precinct that the judges are serving in.

Mayor Daniels then asked if there were any questions concerning the approval of the election poll workers. There were none. He then asked for a motion.

**ACTION:** Council Member Jensen moved to approve appointment of poll workers who will serve as receiving judges, alternate judges and counting judges for the Sept. 11, 2007 Municipal Primary Election.. Council Member Boyd seconded and the motion passed unanimously with Council Members Atwood, Call, Boyd, Jensen and Meacham voting, "Aye."

**8. STAFF BUSINESS**

- Supervisor Young said he still had copies of the official draft of the General Plan available. He explained that the copies are numbered, so his staff knows who has copies. He thanked everyone for their hard work on the project, especially the Planning Commission members. He also said that he wants The General Plan to become a living document that isn't updated every 10 or 5 years, but instead every year.
- Director Giles informed everyone that Volume III of the Pleasant Grove History had gone to press and was for sale at City Hall. He added that Volume I would be out in time for the Heritage Festival.
- Fire Chief Sanderson thanked everyone for their support for the City Summer party that his department was in charge of this year. Mayor Daniels commented that the turnout was huge, and thought it was the best party yet.
- Police Chief Paul reminded everyone to please mark their calendars for Thursday, August 30, 2007 as the open house for Detective Jeff Wilson's retirement party. He said it would be held at the Pleasant Grove Library, in the basement from 2 to 4 p.m. He also told everyone that Detective Wilson had faithfully served the department for 24 years.
- Planner Allen explained that Central Bank was in the process of bringing in revised plans to Community Development. He said the plans would be review by the DRB the following evening. The access issues that were holding up the plans had been resolved, he noted.

- Administrator Mills asked that the Council please come by his office, as he had information he needed to share with them on the secondary water and how it was affecting a handful of residents with the billing, etc. He said he wanted to get the Council's input on resolution of hookups, etc, for these residents.

## **9. MAYOR AND COUNCIL BUSINESS**

- Council Member Jensen said that he had handed out information to the Council regarding recycling in the City. He said it might be good for him to explain another way he has found for the City to address recycling. All garbage is taken to a transfer station where it is sorted and taken away without additional cost to the homeowner. Also, there would be no need for the City to purchase new containers for the recycling with this plan. He said the company is willing to come in and make a presentation to the Mayor and Council. Mayor. He asked if he could have the presentation on August 28, 2007 at that Work Session. He was told there was a long presentation that evening, and the next Work Session would be on September 25, 2007.
- Council Member Boyd asked the Mayor and Council for their input for the selection of the Community Service Awards for the Heritage Festival on September 8, 2007. After further discussion, Administrator Mills suggested that maybe the chairs for the volunteer commissions and boards in the City select someone from their board. Other alternatives were discussed.
- Council Member Call asked if Deputy Burgin could put bios for the candidates on the City website prior to the upcoming Primary Election. Mayor Daniels said that in a discussion with Attorney Petersen about just such a suggestion, she said that any kind of public use on the website (or the newsletter) was inappropriate. Council Member Call said he understood.
- Mayor Daniels reported that Council Member Atwood had accepted a position on the North Point Solid Waste Board, replacing former Council Member McDade. He said the County would swear him into that position.

Mayor Daniels next reminded everyone to please attend the upcoming ground breaking for the Embassy Suites Hotel and Convention Center that would be taking place on the east side of the freeway interchange on Thursday, August 24, 2007 at 10 a.m. The Mayor said he had received word that Governor Huntsman and Senator Hatch would be attending, as well as County Commissioners and Dr. James Parkinson. He indicated this would be a huge kick-off for the City and the county. He also said that those that attend will begin to catch the vision of what Pleasant Grove City would be leading out with, and how much of a benefit this development would be to the county and the entire region.

Administrator Mills added that a luncheon would be provided by Mr. George Church and the R/UDAT Committee in the basement of the Police Station immediately following the ground breaking.

The Mayor said the work on 2000 West was coming along on schedule. Administrator Mills added that the project must be complete to a certain point on September 13, 2007, by contract.

Mayor Daniels next indicated that the price of laptops had come down to a point that he would suggest the City purchase them for the Council Members that weren't, as yet, using an electronic format for the Council meetings. Finance Director Clay said he had just barely purchased laptop computers for those Council Members. Mayor Daniels thanked him. He said he really wanted to get rid of as much of the paperwork as they could, and go to electronic as soon as possible.

## **10. SIGNING OF PLATS**

No plats were signed

## **11. REVIEW CALENDAR**

Mayor Daniels then remarked that there would next be a ground breaking on September 21, 2007 for Central Bank as well as three other projects in The Grove area.

## **12. APPROVE PURCHASE ORDERS**

Council Member Jensen asked Chief Paul regarding the purchase of a rifle. Chief Paul said that one of his officers that also serves on the County Swat Team needed a sniper rifle to support his position on the team.

**ACTION:** Council Member Jensen moved to approve the purchase orders. Council Member Boyd seconded and the motion passed unanimously by Council Members Atwood, Call, Jensen, Boyd, and Meacham voting "Aye."

**13. ADJOURN:** At 8:52 p.m. Council Member Call moved to adjourn the meeting. Council Member Atwood seconded and the motion passed unanimously with Council Members Call, Atwood, Jensen, Boyd and Meacham voting, "Aye."

This certifies that the City Council Minutes of August 21, 2007 are a true, full and correct copy as approved by the City Council on September 4, 2007

Signed \_\_\_\_\_  
Mary Burgin, Deputy Recorder