

Pleasant Grove City Council Minutes
November 7, 2007
7:00 p.m.

PRESENT:

Mayor:

Mike W. Daniels

City Council Members:

Cindy Boyd

Jay F. Meacham

Bruce Call

Mark K. Atwood

Lee G. Jensen

City Recorder:

Amanda R. Fraughton

Deputy Recorder:

Mary Burgin

Others:

Gary Clay, Director of Finances

Tina Petersen, City Attorney

Deon Giles, Leisure Services Director

Lynn Walker, Public Works Director

Sean Allen, City Planner

Greg Stockhoff, Assist. Planner

April Harrison, Head Librarian

Richard Bradford, Economic Development Director

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 was led by Boy Scout Josh Wolstenhuen.

2. OPENING REMARKS

The Opening Remarks were given by Council Member Boyd.

3. APPROVAL OF MEETING'S AGENDA

Mayor Daniels asked if there were any changes or additions to the agenda. There were none. He then asked for a motion.

ACTION: Council Member Call moved to approve the meeting's agenda, as written. Council Member Jensen 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. City Council Minutes for October 16, 2007
2. Work Session Minutes for October 30, 2007
3. To consider approval of Partial Payment No. Seven and Change Order No. Two to Dunn Construction, LC for the Pressure Irrigation System -- Schedule 5B Project.
4. To consider approval of Partial Payment No. Four to HDX, LC a Dunn Company for the Pressure Irrigation System -- Schedule 6 Project.
5. To consider approval of paid vouchers (Oct. 25, 2007)

ACTION: Council Member Boyd moved to approve the consent items as written. Council Member Jensen 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. Mark Ryan, P.O. Box 314, Pleasant Grove, Utah, said that he would like the City Council to know that when a committee is formed regarding the Downtown Area, he would like to be included. He explained that he has several ideas regarding architecture, etc, which could benefit the Downtown Area. Mayor Daniels thanked Mr. Ryan. The Mayor also thanked Mr. Ryan for his restoration work on the business that he is getting ready to open in the Downtown.

Mr. Paul Varney from the Belle Monet development then came forward and asked the Mayor and Council if there could be a painting correction on the road that comes out of Belle Monet and meet Pleasant Grove Boulevard at the new light. He said that the road is painted with two left hand turn lanes, but the light only indicates that the far left lane is to turn left. Director Walker noted that the striping was to be fixed the next day.

6. NEIGHBORHOOD ADVISORY BOARD REPORT

Chair Libby Flegal indicated that there was nothing to report to the Mayor and Council.

7. LIBRARY BOARD REPORT

Ms. Roselle Harney from the Library Board came forward and reported that the library report is compiled and published every October. This year, she said it is included on the website with the other library information. The patrons really have taken to the website, and Ms. Harney said they are reserving and checking on books from home through the internet. She also said that information is also on the website in Spanish. Council Member Call thanked Ms. Harney for her time. He added that the on-line capabilities offered to the public from the library are a great program.

8. BUSINESS

A. CONTINUED PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING MATTHEW AND CAROL WHITTAKER'S REQUEST TO AMEND SECTION 10-9A-G AND E BY AMENDING THE DISTANCE THAT AN ANIMAL BARN CAN BE LOCATED FROM A RESIDENTIAL DWELLING; FOR PROPERTY LOCATED IN THE RR (RURAL RESIDENTIAL, 21,780 SQ. FT. LOT AREA) ZONE. (CONTINUED FROM OCTOBER 16, 2007 CITY COUNCIL MEETING) CITY WIDE IMPACT

Assistant Planner Stockhoff indicated that this item was in regard to Matthew and Carol Whittaker's request to amend section 10-9A-G and E by amending the distance an animal Barn can be located from a residential dwelling in the RR (Rural Residential) zone. The applicant is requesting to amend the required distance of an accessory building used to house animals and poultry.

What initiated the ordinance amendment was the Whitaker's request to amend sections 10-9A-8E & 10-9A-8G of the Pleasant Grove City Code which reads as follows:

E. Accessory Building; Side Yard: The side yard of an accessory building shall be the same as that required for a principal building, except that accessory buildings which house animals or poultry shall have a side yard of not less than twenty feet (20 ft.) and shall be located at least one hundred feet (100 ft.) from any dwelling.

G. Accessory Building; Rear Yard: An accessory building may be located on the rear property line so long as:

1. It provides for all roof drainage to be retained on the subject lot or parcel.
2. It is not for the housing of animals or poultry. Accessory buildings so used shall have a rear yard of not less than twenty feet (20 ft.) and shall be located at least one hundred feet (100 ft.) from any dwelling. (Ordinance. 2000-23, 7-18-2000)

They are requesting that the code be changed to allow the minimum distance from dwellings to be less than 100 ft. They initially requested that the distance be 70 ft, but after our review they have agreed to change that request to 75 ft.

The proposed amendments will impact the RR Zone. All requirements of the zone will still have to be met for approval. The proposed changes are consistent with the goals, policies, and objectives of the General Plan and will not negatively impact the health, safety and welfare of the residents of Pleasant Grove.

As staff reviewed the request we saw that there was some merit to the request. We found that the average size of a lot in the RR zone (110 ft. x 198 ft.) make it nearly impossible to meet all the required setbacks and still build. The following table shows that meeting all the required setbacks leaves approximately 8 ft. to build in.

Front yard setback	30'
Average depth of residential structure	40'
Distance requirement	100'
Required rear yard setback	20
Total	190'
Total less lot depth	8'

After seeing this, Mr. Stockhoff said that staff determined that it was a reasonable request to change the distance. In order to come to an appropriate distance, the applicant and staff looked at the requirements of neighboring cities. The following are those requirements:

City	Adjoining Dwelling	Owners Dwelling
Lindon	50'	20'
Alpine	75'	Closer to owners dwelling
Cedar Hills	100'	50'
American Fork	75'	50'
Highland	100'	75'
Lehi	60'	30'
Average	76'	50'

The initial request was to change the distance from 100 ft. to 70 ft. for the distance from any building. After researching the distances required by surrounding cities, staff determined that it would be appropriate to create two requirements; One establishing the minimum distance from adjoining dwellings and another establishing the minimum distance from the dwelling on the property.

He said that staff recommends that the distance from adjoining dwellings be 75 ft, because that is consistent with the requirements of surrounding cities. Cedar Hills and Highland are both 100 ft, but they are not appropriate comparisons because Cedar Hills only requires 80 ft. of lot width which would allow for a lot to be 250 ft. deep and Highland is referring to lots that are 40,000 sq ft. That being said, staff and the applicants were comfortable with a minimum distance of 75 ft.

One of the main problems with the current code is the distance required from the owner's dwelling is the same as the distance required for surrounding dwellings. Staff is recommending that a separate distance requirement be set for dwellings on the property. It is reasonable to assume that a person building one of these structures would not mind having the building closer to their home. The distance that a building can be from the home will in large part be driven by the required distance from the neighboring dwellings but we are recommending that a minimum distance from the owners dwelling still be established. Our recommendation is that the distance from the owners dwelling be 50'.

The proposed ordinance amendment will read as follows:

E. Accessory Building; Side Yard: The side yard of an accessory building shall be the same as that required for a principal building, except that accessory buildings which house animals or poultry shall have a side yard of not less than twenty feet (20') and shall be located at least ~~one hundred feet (100')~~ **seventy five feet (75')** from any **neighboring** dwelling **and fifty feet (50')** **from the dwelling on the lot.**

G. Accessory Building; Rear Yard: An accessory building may be located on the rear property line so long as:

1. It provides for all roof drainage to be retained on the subject lot or parcel.

2. It is not for the housing of animals or poultry. Accessory buildings so used shall have a rear yard of not less than twenty feet (20') and shall be located at least ~~one hundred feet (100')~~ **seventy five feet (75')** from any **neighboring** dwelling **and fifty feet (50')** **from the dwelling on the lot.** (Ord. 2000-23, 7-18-2000)

The Planning Commission gave a recommendation to approve the proposed amendment at a public hearing held on October 11, 2007.

The City Council first heard this item on October 16, 2007, and after some discussion, decided to continue the item so that staff could do some additional research. They requested that staff contact the Utah County Health Department and the Utah County Community Development office to see if the requested distances were safe.

Staff contacted the Utah County Health Department who said that they do not regulate this issue but referred us to the Community Development office. The Utah County Community Development office said there isn't a county standard but that animal accessory buildings in the county are required to have a minimum distance of 50 ft. from any dwelling and 30 ft. from any open water ways.

After contacting the Health Department and the Community Development office, staff was comfortable with the 75 ft. distance from neighboring dwellings but we are recommending that the distance from the dwelling on the property be changed from 30 ft. to 50 ft. This change would be more consistent with the county's requirements and the average distance required by surrounding cities.

He said they also contacted the Equestrian Center in Salt Lake County to determine if there were any health reasons for the prescribed distance. The only thing they have heard is that the urine of a horse can splash up to 50 ft. after it hits the ground; however, their distance is not regulated by the Health Department, it is regulated by Riverton and South Jordan, the two cities it is adjacent to.

The size of an accessory building is limited by three factors; Lot coverage, incidental to the main structure and building height.

The R-R zone sets the maximum allowable lot coverage at 30%. This means that no lot is allowed to be covered more than 30% with buildings. On a half-acre lot, approximately 6,500 sq. ft. can be covered by buildings. This does not mean, however, that if a property owner has 2,000 sq. ft, they can build a 4,500 sq. ft. accessory building.

The Planning Commission and staff have determined that the accessory building must be smaller than the footprint of the house less the garage. For example, the footprint of the Whitaker's home is approximately 2,300 sq. ft, which means that an accessory building must be smaller than that. In this specific case, the accessory building is approximately 1,300 sq. ft.

Building height has also been a question when discussing incidental structures. The current requirement for accessory building height is greater than 35 feet, which is the same requirement for main structures. However, staff has made application for an amendment that would limit the allowed height of an accessory building to 25 ft, or the height of the home, whichever is more restrictive.

Council Member Atwood asked is the request by the Whittaker's was due to the size of their lot. Mr. Stockhoff said no, that they actually are on a one-acre lot. He said that staff had been looking at changes to the set-backs for accessory buildings anyway.

Council Member Call thanked staff for the excellent research they had done on this item. He said he had also looked into the set-backs with other communities and found there really was no consistency.

Mayor Daniels then opened it to a public hearing. No one came forward. He then brought the item to the Council. There were no more comments. He then asked for a motion.

ACTION: Council Member Call moved to approve Ordinance No. 2007-39, regarding Matthew and Carol Whitaker's request to amend Section 10-9A-G and E by amending the distance that an animal barn can be located from a residential dwelling; for property located in the RR (Rural Residential, 21,780 sq. ft. lot area) zone with the following findings: 1. The proposed changes meet the intent of the goals, policies, and objectives of the General Plan. 2. The proposed text amendment does not negatively impact the health, safety, and welfare of citizens of Pleasant Grove. 3. A public hearing was held. Council Member Meacham seconded and the motion passed unanimously with Council Members Call, Jensen, Atwood, Boyd and Meacham voting, "Aye."

B. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING MANHATTAN DEVELOPMENT'S REQUEST TO REZONE A 3.49 TRACT OF LAND FROM R1-10 (SINGLE FAMILY RESIDENTIAL, 10,000 SQ. FT. LOT AREA) ZONE TO R1-9 (SINGLE FAMILY RESIDENTIAL, 9,000 SQ. FT. LOT AREA) ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 1010 EAST 200 SOUTH. SCRATCH GRAVEL NEIGHBORHOOD

After Mayor Daniels read this item, Mr. Stockhoff noted that this request was a public hearing for a zone change request by Manhattan Development located at approximately 1010 E. 200 South in the R1-10 zone. The request is for an approval of a zone change of approximately 3.49 acres from R1-10 to R1-9.

The subject property is owned by Manhattan Development. The front half acre (along 200 South) is zoned R1-9 and the remaining 3.49 acres is zoned R1-10. The applicant is proposing to zone the entire property R1-9. The requested zone change complies with the current General Plan map. The General Plan calls for Medium Density Residential on the subject property, which allows for all the R1-8, R1-9 and R1-10 zones. The proposed zone change will put the entire project in the R1-9 zone. The Planning Commission approved this request at a public hearing held on October 25, 2007.

Council Member Call said he was concerned that with the zone change, in that there would be an area within a R1-10 area that would now be R1-9. He asked if this was so a flag lot could be created as lot #12. Mr. Stockhoff said they had not yet received any submission from the developer other than a concept plan—and it didn't indicate a flag lot. He said a flag lot in that area wouldn't meet code, anyway.

Mr. Chad Aslo at 202 East 800 South in Orem said he was with Manhattan Development. He said that if they are unable to purchase the extra property to make Lot 12, they won't be able to move forward with that extra lot anyway. However, if they were able to develop another lot, they would be able to come out on 200 South, which he said would be the best for the City with bringing in the utilities. He also said they had plans to demolish one of the two existing homes on the property. Also, he said if they were unable to do a flag lot, they would end up with one lot considerably larger than the others.

Council Member Call observed that if Mr. Aslo's company was unable to purchase the additional land, then it would suffice for the property to remain an R1-10 zoning. Mr. Aslo said that they were trying to make sure that the currently small, awkward lot could be added to.

Council Member Boyd then indicated that she felt it would be okay to zone the property to R1-9. She said there really wasn't that much difference between the two zones.

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

ACTION: Council Member Boyd moved to approve an Ordinance regarding Manhattan Development's request to rezone a 3.49 tract of land from R1-10 (Single Family Residential, 10,000 sq. ft. lot area) zone to R1-9 (Single Family Residential, 9,000 sq. ft. lot area) zone for property located at approximately 1010 East 200 South. There was no second, so the motion died.

Council Member Meacham then asked if there could be further discussion with the Council. Mayor Daniels said yes. Council Member Meacham said he felt that the canal on the east of the property was a good zone boundary. He then added that he did not like the thought of a "wedge" in that area being a different zone. Mr. Stockhoff noted that this might be considered to be spot zoning, but because the R1-9 zone was allowed in that area, it would not really be considered spot zoning.

Planner Allen said that because the General Plan allows for an R1-9 zone in that area, the Council needs to be very careful in turning down the request.

Attorney Petersen then explained that the Council did not have to approve the request. However, she said that in the motion, they needed to have a good reason why it would not fit and specific findings as to why the re-zone wasn't appropriate.

Council Member Atwood said that Planner Allen did make a good case. He said, however, that the current owners of the surrounding land were still up in the air as to how they would one day want the land zoned. Mr. Aslo noted that developers and land owners generally want to rezone to a higher value of land. Council Members Atwood and Boyd asked if the neighbors had been apprised of the possible rezone. Planner Allen said yes, that letters had been sent to surrounding neighbors.

Mayor Daniels then again asked for a motion. No motion was made.

Attorney Petersen explained that the Council would need to make some kind of motion. She explained the options would be to continue, to table or to deny. She went on to say that the Council had already approved the density level in the General Plan.

At this point, Council Member Call put Google Earth up on the screen. Mayor Daniels asked him to bring up the portion of property being shown. Mayor Daniels then explained that the subject area is adjacent to a developed area that is R1-10. He noted that the question before the Council was if they would approve an R1-9 zone for that area.

After further discussion, Mayor Daniels asked that the Council come back to the discussion at the end of the business portion of the agenda. The Council agreed.

C. PUBLIC HEARING TO CONSIDER TIM STEPHENS' REQUEST TO VACATE LOT 1 OF THE MANILA HEIGHTS SUBDIVISION, PLAT "A," AND TO CREATE A 4-LOT SUBDIVISION KNOWN AS MANILA HEIGHTS SUBDIVISION, PLAT "B," LOCATED AT APPROXIMATELY 1430 WEST 3300 NORTH, IN THE RR (RURAL RESIDENTIAL, 21,780 SQ. FT. LOT AREA) ZONE. MANILA NEIGHBORHOOD

Planner Allen told the Mayor and Council that Mr. Tim Stephens was asking to vacate lot 1 of the Manila Heights Subdivision, Plat A, and add it to Manila Heights Plat B, as a Plat Amendment. The property is zoned RR (Rural Residential) and is located at approximately 1450 West 3300 North. The acreage is 3.35 acres.

Planner Allen indicated that the applicant was proposing to amend the recently approved Manila Heights Subdivision Plat B to add lot #1 from Manila Heights Subdivision Plat A, creating a new five-lot subdivision proposal. The original Manila Heights Plat B was approved by the Planning Commission on June 14, 2007. City Council subsequently approved the Plat on July 3, 2007. The amended Plat was approved by the Planning Commission on October 25, 2007.

Access for lots 3, 4, and 5 is planned from 3300 North. Lots 1 and 2 will have access from 1450 West. The applicant is providing the necessary roadway dedications, and improvements for the project. The minimum required lot size for the zone is a half-acre or 21,780 square feet, with a lot width a minimum of 110 feet. All proposed lots meet these basic requirements. The applicant is utilizing the option to "Lot Average" for lot #2, which requires a minimum lot size

of 17,424 square feet and a minimum lot width of 100 ft; as long as there are at least four lots to the subdivision.

City Engineering has recommended approval of the Plat Amendment. The City's General Land Use Designation for this property is very low density residential. This allows a density of two lots per acre. This proposal calculates to 1.66 lots per acre, which is based on a net density. The subject property is zoned R-R/Rural Residential. The applicant's proposal does not deviate from the zoning regulations in any way.

Mayor Daniels opened the discussion to a public hearing. There were no comments. He then brought the discussion up to the City Council table. There were no questions or comments from the Council. He then asked for a motion.

ACTION: Council Member Call moved to approve Tim Stephens' request to vacate lot 1 of the Manila Heights Subdivision, Plat "A," and to create a 4-lot subdivision known as Manila Heights Subdivision, Plat "B," located at approximately 1430 West 3300 North, in the RR (Rural Residential, 21,780 sq. ft. lot area) zone with the condition; 1. That all final planning, Engineering, and Fire Department requirements are met prior to recording the final plat. Also, based on the following findings; 1. The proposed subdivision complies with the R-R Zoning ordinance. 2. The Planning Commission has granted preliminary plat approval. A public hearing was held. Council Member Jensen seconded and the motion passed unanimously with Council Members Meacham, Call, Jensen, Boyd and Atwood voted "Aye."

D. PUBLIC HEARING TO CONSIDER AN ORDINANCE REGARDING SMITH BALLSTAEDT'S REQUEST TO AMEND SECTION 10-9A-10 OF THE PLEASANT GROVE CITY MUNICIPAL CODE TO ALLOW PERSONS TO REQUEST AN INCREASE IN THE MAXIMUM ALLOWED HEIGHT OF A BUILDING THROUGH THE APPROVAL OF A CONDITIONAL USE PERMIT WITHIN THE RR (RURAL RESIDENTIAL, 21,780 SQ. FT. LOT AREA) ZONE. MANILA NEIGHBORHOOD

Following Mayor Daniels reading this item, Sean noted that the applicant needed to be excused from the meeting because his wife was in labor. He then said that Mr. Ballstaedt was no longer asking for the amendment, but that staff was. He added that the Planning Commission agreed that there needed to be an amendment to the ordinance.

Mayor Daniels asked if he understood correctly that Mr. Ballstaedt was no longer making the request; but that staff was now making the request. Attorney Petersen said that was correct. The Mayor then observed that this item had already been advertised. He asked if the request could just be changed "on the fly" from Mr. Ballstaedt's initial request to staff. Attorney Petersen said no, that this item would have to be re-advertised in that it will now be staff's request. The Mayor thanked Attorney Petersen for the clarification.

Mayor Daniels opened the discussion to a public hearing. There were no comments. He asked for a motion

ACTION: Council Member Jensen moved to continue the Public Hearing to consider an Ordinance regarding staff's request to amend Section 10-9A-10 of the Pleasant Grove City Municipal Code to allow persons to request an increase in the maximum allowed height of a

building through the approval of a Conditional Use Permit within the RR (Rural Residential, 21,780 sq. ft. lot area) zone. Council Member Call seconded and the motion passed unanimously with Council Members Call, Boyd, Jensen, Atwood and Meacham voting, “Aye.”

Please Note: Mayor Daniels came back to continue the discussion of Item B at this point.

Mayor Daniels asked the Council to please approve, deny or continue this item.

Council Member Atwood then commented that the General Plan was approved, but with the flexibility of being able to choose which of the zones that were approved for that area. He said he is in favor of keeping the zone R1-10. Mayor Daniels then noted that the current density, R1-10, was appropriate for that area.

Attorney Petersen then explained that if the Council did not legislatively approve the density change, she recommended that in the motion there needs to be findings as to why the R1-9 was not an appropriate change. Otherwise, it would seem that the decision by the Council was arbitrary and capricious. Mayor Daniels said he could not really see a reason to change.

Council Member Call and Atwood both expressed that they did not want the R1-9 to expand further across the street and northward. They said that there were no indications that owner of the piece right next to the canal wanted to change to R1-9 zone. Additionally they expressed concern in that they didn't want to see an R1-9 zoned peninsula created in the middle of the R1-10 area.

Mr. Stockhoff said that Council Member Atwood made a good point in that the area should remain R1-10 to the canal. He said the canal provided a good, natural barrier for the zone.

Mayor Daniels again asked for a motion.

ACTION: Council Member Atwood moved to deny an Ordinance regarding Manhattan Development's request to rezone a 3.49 tract of land from R1-10 (Single Family Residential, 10,000 sq. ft. lot area) zone to R1-9 (Single Family Residential, 9,000 sq. ft. lot area) zone for property located at approximately 1010 East 200 South due to the fact that the surrounding area is R1-10, and the Council felt changing the zoning for this parcel of land to R1-9 would be inconsistent with that surrounding property. A public hearing was held. Council Member Jensen seconded and the motion passed unanimously with Council Members Meacham, Call, Jensen, Boyd and Atwood voted “Aye.”

E. TO CONSIDER TROPHY HOMES' REQUEST FOR FINAL SITE PLAN/CONDITIONAL USE PERMIT APPROVAL OF THE PROPOSED MAYFIELD CENTRAL RESIDENTIAL CONDOMINIUM PROJECT, CONSTRUCTION PHASES 15-30 (120 UNITS), COMPRISED OF 9.33 ACRES, IN THE GROVE ZONE. SAM WHITE'S LANE NEIGHBORHOOD

Mayor Daniels read this item. Planner Allen then reported that this item was to consider final condominium plat approvals on the final site plan/conditional use permit and final plat approvals of a 120 unit, multi-family residential Condominium project to be known as Mayfield Central Residential of the Mayfield Development project. Also included is the final site plan and conditional use permit approvals for the Mayfield Central Residential (also known as Phase 2) of

the Mayfield Development project. The applicant is Trophy Homes. The location is 700 South and 2310 West in the Blues Sub-district/Grove zoning district. There are 9.33 acres in this phase.

The Preliminary Subdivision Plat and Site Plans were approved by the Planning Commission on November 16, 2006, and by City Council on February 6, 2007. The proposed 9.33-acre project area is centrally located within the Mayfield project area, and directly west of the Belle Monet multi-family residential development.

The subject property makes up 22% of the total Mayfield project area, and is a key element to the residential community being constructed. The south residential will have 120 total residential units expressing three different styles of housing. It will also provide for some of the major development amenities. The Mayfield Central Residential makes up all of Phase 2 of the Mayfield Construction Phasing Plan. The proposal includes two medium-sized and one large park area. These include amenities that are connected by an interlinking trail. Condominium plats have been submitted and are labeled as Phases 15 through 30. They show common, limited common and private areas of ownership. Site and landscaping plans have been submitted, as required by ordinance, to support the condominium plats.

The following is a breakdown of the proposal, and important details regarding each:

Condominiums/Plats:

The 120 proposed units are broken down into a sixteen phase Condominium proposal (Phases 15-30), each reflecting all Common, Limited Common and private areas of ownership. All phases are interconnecting to maintain the structure of this part of the Mayfield residential community, and make up the entire 9.33-acre project area.

Access:

The subject property has three main accesses. There are to be two main connections from 450 South and one from 280 South via 2500 West. The Fire Department has not indicated that there are any concerns with emergency vehicle access to the site.

Landscaping:

The landscaping complies with the ordinance, and with additional requirements imposed by the Planning Commission and Staff. The landscaping and open space are matching what was approved at the preliminary level, therefore, the amount shown for this proposal shall help meet the requirement for the overall Mayfield Development. All landscaping has been designed and submitted by a Licensed Landscape Architect.

Parking:

The parking requirement has been met according to the Grove Zoning ordinance, which requires 2.5 parking spaces per unit. It goes on to require that at least one space is covered, and that 25% of the covered spaces need to be attached or detached garages. The proposal has provided double and single car garages for every unit, and because they have provided driveways that meet the minimum dimension requirements (9' x 18') for counting driveway parking, the applicant is allowed to count that space.

The total required parking for the Mayfield Central Residential is 300 stalls. They have provided a total of 334 parking spaces. There are 108 attached garages, with 50 of that number as double-

car and 56 single-car. Those two numbers are doubled to get the number of parking provided, including the driveway space. Additionally, the site has provided 22 uncovered visitor parking stalls.

The zone also requires that 5% of the required vehicular parking is to be supplemented by bicycle parking, but there must be at least two spaces for each building. In this case, a minimum of two bicycle space for each building will exceed the 5% calculation.

The architecture and materials proposed have been approved by Staff and the Design Review Board (DRB). The applicant shall provide an ornamental see through black iron fence along the east & west boundary of the Limited Common areas. A semi-private tan vinyl fence is to be installed along the rear yards that face 700 South and the tot lot park. The descriptions of these fences are found on the landscaping plans. This is matching what was proposed in the final plans for Mayfield South Residential. Engineering has recommended final approval of the proposed Mayfield Central Residential Site Plan and Condominium Plats. This proposal complies with the goals and objectives for the area.

The proposal is simply an extension of the overall residential element viewed with Phase One, earlier in the year. The final plans match what was approved, at the preliminary level, and tie into the first phase of construction as originally planned, including the required open space, and interlinking trail system. All required zoning requirements have continued to be met from preliminary approval.

Planner Allen explained that there will be one more residential phase. This phase was originally going to include a church, but has now changed due to the recently approved Mayfield North Professional Offices, so Phase Three will now remain residential to complete the Mayfield project.

Council Member Jensen asked if there were any street or water issues that remained with the project. Attorney Petersen said that the water and 2500 West issue was handled in the Developmental Agreement. She noted that Trophy Homes (Adam Langford) were protesting the 2500 West road profile issue, but their legal council and Mr. Langford had opted to drop their protest.

Council Member Jensen said he understood that the Liahona School still had water issues. Mr. Adam Langford from Trophy Homes explained that the owners of Liahona School, Mr. and Mrs. De Graff, just needed to sign their water shares over to the city to get their building permit. Mr. Stockhoff said they were in the process of turning over the water shares.

Mayor Daniels asked if this development fell under the Ordinance that requires them to develop the commercial first (or simultaneously). Attorney Petersen said yes, this development fell under the Old Grove Zone. Planner Allen said that Community Development had just received two requests for permits for the commercial portion of the development. Mayor Daniels said that was good that the commercial was starting before the residential.

Mr. Varney from Belle Monet then mentioned that this particular area was using an access through Belle Monet to get to the job site. Planner Allen said he would look into his claim.

Mayor Daniels asked if there were any further comments. There were none. He then asked for a motion.

ACTION: Council Member Jensen moved to approve Trophy Homes' request for Final Site Plan/Conditional Use Permit approval of the proposed Mayfield Central Residential Condominium Project, construction phases 15-30 (120 units), comprised of 9.33 acres, in The Grove Zone including the following conditions: 1. That all remaining Planning, Fire, and Engineering requirements are satisfied, prior to recording. Also, with the following findings; 1. The proposal has followed its role & order in the overall Mayfield project; 2. Engineering has given a recommendation to approve the proposal. Council Member Call seconded and the motion passed unanimously with Council Members Call, Jensen, Atwood, Boyd and Meacham voting, "Aye."

F. TO CONSIDER ADOPTION OF A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN EASEMENT IN FAVOR OF MARK RYAN GRANTING AN ACCESS EASEMENT FOR INGRESS AND EGRESS OVER A PORTION OF THE PARKING LOT OF CITY HALL/PUBLIC SAFETY BUILDING, 70 SOUTH 100 EAST, PLEASANT GROVE, UTAH.

Attorney Petersen indicated to the Mayor and Council that Mr. Ryan was requesting access through the City's parking lot straight into his business that he was currently rehabilitating. She added that this was not for parking, but rather just for access for ingress and egress to the back of his building. He is required to make sure that the storm water will not drain directly into his building through the access.

Council Member Jensen asked if this would address any of the other businesses in that area. Attorney Petersen said no, it would only be his business. She added that this would not include any parking.

Council Member Meacham asked how the easement was defined as it seems to have an irregular shape. Attorney Petersen explained that in how the parking lot is now designed, there is access. Director Giles said the photo on the screen was an older photo. He said the parking lot was now of a different design. Council Member Meacham then said the minimum width of easement, then would be granted. Attorney Petersen agreed.

Mayor Daniels asked if there were any comments or questions. There were none. He then asked for a motion.

ACTION: Council Member Jensen moved to approve adoption of Resolution No. 2007-045, authorizing the Mayor to sign an easement in favor of Mark Ryan granting an access easement for ingress and egress over a portion of the parking lot of city hall/public safety building, 70 South 100 East, Pleasant Grove, Utah. Council Member Call seconded and the motion passed unanimously with Council Members Call, Jensen, Atwood, Boyd and Meacham voting, "Aye."

G. TO CONSIDER AWARDING BID FOR THE 2007 SEWER REHABILITATION PROJECT.

Director Walker reported that this 2007 sewer rehabilitation project had been bid on by P.E.C. from Helena, Montana. He said their bid of \$189,700 was less than their bid a year ago, as well as less than the engineer's estimate. It was also less than his department had budgeted for, so he said he felt really good about the bid.

There were no comments or questions, so Mayor Daniels asked for a motion.

ACTION: Council Member Atwood moved to approve the bid of \$189,700 for the 2007 sewer rehabilitation project. Council Member Boyd seconded and the motion passed unanimously with Council Members Call, Jensen, Atwood, Boyd and Meacham voting, "Aye."

9. STAFF BUSINESS

- Director Giles said that on Monday, November 12, 2007, there would be a Veteran's Day program at the Veteran's Monument in the Cemetery. He said there would a short program which would include Iraq War Veteran Brett Johnson.
- Planner Allen said that the day had been a good day in Community Development. He said the Hammons' group was moving forward with the Fast Track System the department has set up.
- Attorney Petersen said she had been informed that there would not be alternate architectural plans for Belle Monet now that Trophy Homes will not be taking the last phase of Belle Monet over.

10. MAYOR AND COUNCIL BUSINESS

- Council Member Jensen said that the Utah Lake Commission was requesting a representative to sit on the recreation and transportation panels. Director Giles said he was already on the recreation panel. Director Walker said he would sit on the transportation panel.
- Council Member Boyd reported that the Halloween Party held in the Downtown Park was a huge success this year. She said there were around 3,000 children at the event. Organizer Dan Turner was very happy with the turnout, she said. Mr. Stockhoff said his sister and her children came and they had a good time. Attorney Petersen added that she like the fact that all of the merchants that participated dressed up in costume. Deputy Burgin said her grandchildren came home with their trick or treat bags full of goodies from the event.

Council Member Boyd next reported that she would be attending a meeting regarding the trail on Murdock Canal. She said there was a lot of work to be done with the trails in the area.

11. SIGNING OF PLATS

There were no plats to be signed.

12. REVIEW CALENDAR

Council Member Boyd said she would be out of town and not able to attend the Council meeting on November 20, 2007.

13. APPROVE PURCHASE ORDERS

Mayor Daniels asked if there were any questions about the purchase orders for October 25, 2007. There were none. He then asked for a motion.

ACTION: Council Member Jensen moved to approve the purchase orders of October 25, 2007. Council Member Call seconded and the motion passed unanimously by Council Members Jensen, Atwood, Call, Boyd and Meacham voting "Aye."

14. ADJOURN: At 8:36 p.m. Council Member Jensen moved to adjourn the meeting. Council Member Call seconded and the motion passed unanimously with Council Members Atwood, Jensen, Call, Boyd and Meacham voting, "Aye."

This certifies that the City Council
Minutes of November 7, 2007 are a
true, full and correct copy as approved
by the City Council on November 20, 2007

Signed _____
Mary Burgin, Deputy Recorder