

**Pleasant Grove City
City Council Regular Meeting Minutes
January 17, 2017
6:00 p.m.**

PRESENT:

Mayor: Michael W. Daniels

Council Members: Dianna Andersen
Eric Jensen
Ben Stanley
Cyd LeMone
Lynn Walker

Staff Present: Scott Darrington, City Administrator
David Larson, Assistant to the City Administrator
Denise Roy, Finance Director
Deon Giles, Parks and Recreation Director
Mike Smith, Police Chief
Kathy Kresser, City Recorder
Tina Petersen, City Attorney
Brian Patten, Fire Captain
Marty Beaumont, Public Works Director
Ken Young, Community Development Director
Sheri Britsch, Library and Arts Director

The City Council and Staff met in the City Council Chambers at 86 East 100 South, Pleasant Grove, Utah.

1) **CALL TO ORDER**

Mayor Pro Tem Andersen called the meeting to order. Mayor Daniels arrived and noted that all Council Members were present.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Jensen.

3) **OPENING REMARKS**

The opening remarks were given by Council Member Stanley.

4) APPROVAL OF MEETING'S AGENDA

ACTION: Council Member LeMone moved to approve the agenda with the Items 9I and 10A to be continued to February 7, 2017. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

5) OPEN SESSION

Mayor Daniels opened the open session.

Spencer Moore stated he needs political will to enforce a local ordinance and to know the City's procedure to proceed. He explained that there are two undeveloped lots behind his home that are being used for commercial storage by the owners, specifically for vehicles, crates for landscaping supplies, etc. He identified the companies as Paradise Pool and Platinum Landscaping. The complaints against the Platinum Landscaping property are two years old and have been investigated; however, there is currently more activity than ever. The property owned by Paradise Pool began to be developed on Thanksgiving weekend. At that time, Mr. Moore brought the issue to the attention of the City's Code Enforcement. It is a gravel parking and concrete is being poured in sections with excess from their pools. Mr. Moore stated that Code Enforcement has taken pictures and letters have been sent, but nothing has changed. He asked how he can get political enforcement quickly and what the procedure is before he can expect to see change. He also asked if as he puts his house on the market if he should only sue the companies for breach, or if he should also include the City for lack of enforcement.

Mr. Moore mentioned that the two properties in question are located directly to the south and west of his property. He first made complaints directly to the companies. He was told multiple times that the City contacted them and indicated that their private overflow was affecting his personal property. He asked the Council what can be done to enforce the commercial activity he has documented over the past two years. Mayor Daniels asked Mr. Moore who he had been in contact with at the City.

Scott Richards reported that he had spoken to Director Young regarding Mr. Moore's situation within the last three or four weeks. Mr. Moore explained that he was party to the complaint filed by Ralph Lavine, the neighbor to the west of Platinum Landscaping. Mr. Richards mentioned that the other lot changed ownership in November. Mr. Moore stated that the neighbor took a green treed lot, leveled and gravel-bedded it, and has stacked forms and trailers on it.

City Attorney, Tina Petersen, explained that Platinum Landscaping is the furthest west of the two parcels and has been an ongoing issue staff has been trying to address. The parcel to the east owned by Paradise Pools has been a problem since November and no City enforcement action has been taken. Mr. Moore and Mr. Richards mentioned that Daniel Cardenas, City Planner, has photographed containers being delivered. Attorney Petersen stated that with the ongoing construction, Community Development can red tag the property and stop any further action from occurring on the property. With regard to the Meinzer property, an investigation and possibly a zoning enforcement citation against them will ensue. She explained that she discussed the matter with Director Young earlier in the day.

Mayor Daniels summarized the discussion and suggested Mr. Moore speak with the Community Development Department at the conclusion of tonight's meeting. Mr. Moore asked if the City Council had any plans to enforce the two-year old complaint filed by Mr. Levine. Mayor Daniels stated that he cannot speak for someone else without written consent.

There were no further public comments. Mayor Daniels closed the open session.

6) **CONSENT ITEMS**

- a) **City Council Minutes:
City Council Minutes for the December 6, 2016 meeting.**
- b) **To consider approval of payment vouchers for (January 9, 2017).**

ACTION: Council Member Jensen moved to approve the consent items. Council Member Walker seconded the motion. The motion passed with the unanimous consent of the Council.

7) **BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

A) **ELECT MAYOR PRO-TEM FOR 2017.**

Council Member Walker nominated Council Member Jensen to serve as Mayor Pro-Tem for the year 2017. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

8) **PRESENTATIONS**

There were no presentations.

9) **PUBLIC HEARING ITEMS**

- A) **CONTINUED PUBLIC HEARING TO CONSIDER APPROVAL OF A TWO-LOT FINAL SUBDIVISION PLAT CALLED PALISADES PLAT F, LOCATED AT APPROXIMATELY 731 EAST 760 SOUTH IN THE R1-9 (SINGLE-FAMILY RESIDENTIAL) ZONE. Presenter: Director Beaumont (Continued from the January 3, 2017 Meeting).**

Public Works Director, Marty Beaumont, presented the staff report and displayed an aerial map of the subject property. He explained that the applicant is requesting approval of a two-lot final subdivision to be called Palisades Plat "F" on property located at approximately 760 South Locust Av. in the R1-9 Zone. The applicant is proposing to create the final plat by amending a previously approved plat named Palisades Plat "C". The previous recording of Plat "C" showed a 20-foot storm drain and public utility easement on the eastern boundary; however, the applicant has since decided to build a residence where the proposed size building envelope encroaches into the 20-foot recorded easement. A subdivision boundary adjustment was required to fit the desired buildable area in the lots. An application for the new plat was received on December 5, 2016.

The proposed subdivision is to be located on approximately 0.5 acres. The final plat consists of two subdivided lots designated for new single-family dwellings. The new property boundaries will accommodate the desired building envelope size. As recommended by the Engineering Department, the recorded easement will be reduced by five feet to a 15-foot drainage and public utility easement. All of the proposed lots meet the minimum area requirements; therefore, the proposed layout of the subdivision meets the minimum requirements set forth in the Pleasant Grove City Code. The proposed final plat is amending Lots 17 and 18 of the Palisades Plat “C” Subdivision recorded in 2014. Based on a past Planning Commission recommendation of approval to the City Council, staff recommended approval of the proposed final plat.

Mayor Daniels opened the public hearing. There were no public comments. The public hearing was closed.

ACTION: Council Member LeMone moved to approve a two-lot final subdivision plat called Palisades Plat F, located at approximately 731 East 760 South in the R1-9 (Single-Family Residential) Zone. Council Member Jensen seconded the motion. A public hearing was held. The motion passed with unanimous consent of the Council.

B) CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2017-1) AMENDING CITY CODE SECTION 10-11E-2-1 DOWNTOWN COMMERCIAL SUB-DISTRICT, PERMITTED USES, TO INCLUDE LAND USE #5512 “RETAIL-TRADE OF USED MOTOR VEHICLES-AUTOMOBILES ONLY” ON PROPERTIES WITH FRONTAGE ON 600 WEST, NORTH OF CENTER STREET. (APPLICANT JIM WILSON) *Presenter: Director Young (Continued from the January 3, 2017 Meeting).*

Community Development Director, Ken Young, presented the staff report and explained that the applicant is requesting a Code amendment regarding the inclusion of retail-trade of new or used motor vehicles, or automobiles as a permitted use with development standards within a specific area in The Downtown Village Zone–Commercial Sub-District. A request to amend the Code in order to include the used car dealership use was submitted by the owner of the same property in the past, with the intent to combine the existing car repair shop use with the proposed retail of used cars; however, the request was rejected as the City Council considered whether to keep the area free from used car dealerships. Director Young explained that the inclusion of used motor vehicles and automobiles has been granted in different parts of the City; however, the use has been limited by geographical boundaries and development standards have been established to ensure the intent of the original zone is maintained.

Currently, Jim Wilson owns the parcel in the Northeast corner of Center Street and 600 West, where an existing auto repair shop currently operates. The location has been used historically to store old vehicles and materials, which is not the ideal use of the property. The development and use of the aforementioned parcel presents challenges. Even though the parcel is considered a corner lot, the south boundary usage is limited. There isn’t access to Center Street because of the train tracks running between the property and Center Street, thus restraining the retail use of the parcel on its southern boundary.

In a recent proposal to the City Council during a work session, it was the inclination of the City Council to entertain the notion of the inclusion of retail-trade of new and used vehicles in the area. According to City Land Use Codes, the specific permitted use is #5511 Retail Trade of Motor Vehicles. Staff considered the parcel to be located in one of the main gateways for access to the Downtown area. Therefore, any future proposed development should comply with the development and architectural standards already established for the Downtown Village Zone.

Director Young mentioned that although they promise to clean up the property, this particular request gives the City no ability to enforce what they might do to the property. Staff had expressed in the past their displeasure with the request, as it did not make the best planning sense. However, in wanting to promote business, staff recommended the following three development standards be included with use #5511 in the Downtown Village Zone.

- (a) Use limitation: The only variation of auto sales that should be included in the area as a permitted use with development standards would be use 5511 “Retail-trade of Motor Vehicles”
- (b) Geographical limitations: That use 5511 shall only be permitted within the area east of 600 West, between State Street and 400 North, as shown on the attached map.
- (c) Architectural Standards: Any future proposed structures shall be harmonious with the surrounding buildings and comply with the Site Design Standards for the zone established in City Code Provision 10-11E-2-14 L.

The compliance of the architectural standards would be verified by the Downtown Advisory Board first and then by the staff at the time of acquiring the building permit and site plan approval. The Planning Commission reviewed this proposal on December 8, 2016, and forwarded a positive recommendation to the City Council for the proposed text amendments to Section 1011E-2-1 D to include use 5511 as a permitted use with development standards in the zone.

Mayor Daniels commented that Director Young seemed to contradict the Planning Commission’s recommendation. Director Young clarified that the report should have stated that *if* the use was approved in the area, staff would recommend the proposal as stated. Support had been expressed by the Planning Commission in public meetings and as such, staff would move the matter forward in the best way possible. Director Young stated that staff has not supported auto sales as a use in the downtown area.

Mike McMurtrey identified himself as one of the owners of the property and stated that he is a commercial real estate agent by profession. He was seeking the highest and best use of the property and currently it serves as a gravel lot for vehicles and storage containers. He noted that adding cars for sale could not make it any less attractive as a gateway to downtown. With the zoning approval from the Planning Commission, they will re-asphalt the property and remove the fence, add lighting, and reface the building. They feel that the improvements will enhance the property. They plan to convert the property into a restaurant or retail at some point in the future.

At the request of Council Member Jensen, Mr. McMurtrey presented a rendering of the redeveloped property. He noted that they are currently next to a train track, but that could change long-term. Director Young commented that street improvements would be part of a site plan, as well as landscaping. Mayor Daniels asked if the applicant had presented a street view of the subject property. Mr. McMurtrey mentioned that there would be more lighting, as well as curb and gutter. Minor clerical errors on the site report were briefly discussed.

Jim Wilson stated that he was the other owner of the property. He asked if the term automobiles included pickup trucks. Director Young noted it states motor vehicles.

Mayor Daniels opened the public hearing. There were no public comments. The public hearing was closed.

ACTION: Council Member LeMone moved to adopt an Ordinance (2017-1) amending City Code Section 10-11E-2-1 Downtown Commercial Sub-District, Permitted Uses, to include Land Use “Retail-Trade of Used Motor Vehicles-Automobiles Only” on properties with frontage on 600 West, north of Center Street. Council Member Stanley seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley, and Walker all voting "Aye". The motion passed unanimously.

C) CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2017-2) AMENDING CITY CODE SECTION 10-15-47, ACCESSORY APARTMENTS, ADDING A PROVISION THAT PROPERTIES WITH ACCESSORY APARTMENTS SHALL BE IN COMPLIANCE WITH ALL OTHER PROVISIONS OF THE ZONING ORDINANCE. PRESENTER: DIRECTOR YOUNG (Continued from the January 3, 2017 Meeting).

Director Young stated that this item and the next were housekeeping items. There was a lack of clarification in some sections of the ordinance regarding accessory apartments. He explained that if the garage is used for an accessory apartment or business, there needs to be another garage. Furthermore, all other sections of the Code should be enforced.

Mayor Daniels opened the public hearing. There were no public comments. The public hearing was closed.

ACTION: Council Member Jensen moved to adopt an Ordinance (2017-2) amending City Code Section 10-15-47, Accessory Apartments, adding a provision that properties with accessory apartments shall be in compliance with all other provisions of the zoning ordinance. Council Member Walker seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley, and Walker all voting "Aye". The motion passed unanimously.

D) CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2017-3) AMENDING CITY CODE SECTION 10-15-30, ONE-FAMILY AND TWO-FAMILY DWELLINGS, ADDING A PROVISION THAT GARAGES MAY NOT BE CONVERTED INTO LIVABLE SPACE UNLESS A

NEW ATTACHED OR DETACHED GARAGE IS BUILT PRIOR TO OCCUPANCY OF THE CONVERTED GARAGE SPACE. *Presenter: Director Young (Continued from the January 3, 2017 Meeting).*

Director Young noted that he cleaned up language in Section H and identified the changes made which are: Single dwellings in the R-1-8 and larger zones shall be provided with a garage or carport (~~if permitted in the zone~~) having a minimum interior width of twenty feet (20') and constructed concurrently with the dwelling. Single dwellings in all ~~other~~ zones ~~having permitting~~ lots less than eight thousand (8,000) square feet shall be provided with a garage or carport (~~if permitted in the zone~~) having a minimum interior width of twelve feet (12'). Garages may not be converted into livable space unless a new attached or detached garage is built prior to occupancy of the converted garage space.

Mayor Daniels opened the public hearing. There were no public comments. The public hearing was closed.

In response to a question from Council Member Stanley, Director Young explained that the applicant was seeking registration for an accessory apartment when staff discovered there was a garage that had been converted to a business in addition to the accessory apartment in the home. The provision requires a garage for a single-family residential neighborhood and it was not previously noted that a new one would be required if converted to living space. Director Young stated that a single-family home could only be approved to have one accessory apartment. The homeowner also was required to live onsite.

ACTION: Council Member Jensen moved to adopt an Ordinance (2017-3) amending City Code Section 10-15-30, One-Family and Two-Family Dwellings, adding a provision that garages may not be converted into livable space unless a new attached or detached garage is built prior to occupancy of the converted garage space. Council Member Andersen seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye". The motion passed unanimously.

E) CONTINUED PUBLIC HEARING TO CONSIDER FOR ADOPTION (2017-4) AMENDING CITY CODE SECTION 10- 19-12 AND 10-19-17, SIGNS AND OUTDOOR ADVERTISING, IN ORDER TO CHANGE THE DESIGN AND ARCHITECTURAL STANDARDS FOR SIGNS IN THE DOWNTOWN AREA. *Presenter: Director Young (Continued from the January 3, 2017 Meeting).*

Director Young presented the staff report and stated that in working with downtown area business owners making application for signage, staff identified a need to provide for a lower minimum clearance height for suspended and projecting signs. The current requirement of 10 feet in Section 10-19-12A does not provide for the realities of the buildings and architecture on Main Street.

On July 19, 2016, the City amended the Urban Design Standards for the Grove Zone, as found in Section 10-14-20, which eliminated the design theme districts in that zone. Subsequently, it was

determined that a section in the Signage Chapter, 10-19, also needed to be amended to reflect the elimination of those theme districts.

In reviewing the needs of businesses and the realities of the existing buildings on Main Street and conducting research on what other communities require for signage clearance, staff was satisfied with recommending a change from 10 feet to 8 feet for a minimum signage clearance. In order to make the City Code consistent, Section 10-19-17 needs to be amended. The section will focus on the Downtown Village Zone signs, and remove reference to the Grove Zone.

The Planning Commission reviewed the request on December 8, 2016, and forwarded a positive recommendation to the City Council for the proposed text amendments to Sections 10-19-12-A and 10-19-17.

Council Member Stanley asked for clarification about the recommendation from the Downtown Advisory Board. Director Young explained that previously staff and the Downtown Advisory Board tried creating a downtown village with its own design theme.

Council Member Jensen said they worked with downtown business owners regarding the language of the ordinance. Council Member Stanley was concerned because at times there isn't a functioning Downtown Advisory Board. Director Young explained that if the Board isn't available to review a proposal, the matter would be turned over to the Design Review Board. Council Member Stanley suggested that the DRB be listed as an alternative body in the ordinance. There was further discussion on the matter. It was determined that the verbiage: "or in their absence the design review board" would be added to the ordinance.

Mayor Daniels opened the public hearing. There were no public comments. The public hearing was closed.

ACTION: Council Member Stanley moved to adopt Ordinance (2017-4) amending City Code Section 10-9-12 and 10-19-17, Signs and Outdoor Advertising, in order to change the design and architectural standards for signs in the Downtown Area by lowering the standard from 10 feet to 8 feet for clearance and changing the verbiage of Section 10-19-17A with the addition of "or the Design Review Board". Council Member Jensen seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley, and Walker all voting "Aye". The motion carried unanimously.

F) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2017-5) AMENDING THE PREVIOUSLY ADOPTED ANNEXATION DECLARATION POLICY PLAN IN ORDER TO INCLUDE A PORTION OF A PARCEL (.194 ACRES) INTO THE DESIGNATED ANNEXATION AREAS OF THE CITY. THE AFOREMENTIONED PIECE OF PROPERTY IS LOCATED IN THE EAST BENCH AT APPROXIMATELY 899 EAST 1190 NORTH IN THE R1-9 (SINGLE-FAMILY RESIDENTIAL) ZONE. *Presenter: Director Young.*

Director Young explained that staff reviewed the Annexation Declaration Policy Plan created in 2002, so several updates are needed to make it current. The proposed updated planned now lists each of the individual properties anticipated for potential annexation into the city.

He identified three specific areas where annexation could potentially occur. The first was the Smart property, which is an island of Utah County. The second was identified as the Anderson property. The third area consisted of three properties near the freeway intended to be in the Interchange Sub-District. Planning Commission recommends approval of the amendment to the Pleasant Grove City Annexation Policy Plan.

Mayor Daniels opened the public hearing. There were no public comments. The public hearing was closed.

ACTION: Council Member Stanley moved to adopt Ordinance (2017-5) amending the previously adopted Annexation Declaration Policy Plan in order to include a portion of a parcel (.194 Acres) into the designated annexation areas of the City. The aforementioned piece of property is located in the East Bench at approximately 899 East 1190 North in the R1-9 (Single Family Residential) Zone, adopting all the maps required. Council Member Walker seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley, and Walker voting "Aye". The motion carried unanimously.

G) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2017-6) AMENDING PLEASANT GROVE CITY BOUNDARIES BY ANNEXING A PORTION OF A PARCEL (0.194 ACRES) DESIGNATED IN THE ANNEXATION POLICY PLAN, ON PROPERTY LOCATED AT APPROXIMATELY 899 EAST 1190 NORTH IN THE R1-9 (SINGLE-FAMILY RESIDENTIAL) ZONE. (APPLICANT DAN VAN WOERKOM) *Presenter: Director Young.*

Director Young displayed an aerial map of the parcel in question. He explained that annexation will allow the applicant to take advantage of the natural slope of the land for a better development opportunity. It will, however, not allow for further subdividing of the property under current City Code.

A similar petition was heard by the City Council on November 21, 2006, and at that time was denied in a split vote. The reasons for denial included concerns for opening the borders in the areas of sensitive lands without studying the soils conditions and other potential areas that could be annexed.

On March 15, 2011 the City Council held a discussion regarding a second petition to annex the subject property. It was determined again that the City Council was unwilling to amend the Annexation Policy Plan to allow for this request due to a lack of information regarding the soil conditions in the area.

This third petition was reviewed by the City Council on November 9, 2016, and was accepted to move forward into the annexation process. The application this time is accompanied by a Geologic Hazards Assessment report, prepared by Geo Strata, a soils engineering firm, regarding the soil conditions on the subject property. The report indicates that there are no significant concerns regarding the conditions and stability of the soils on this property and the immediate

surrounding area. This report has been reviewed by City Engineer Marty Beaumont, who is satisfied with the findings of the report.

Mayor Daniels asked if crews can service the land with water and other utilities. Director Young explained that the front of the property is already being serviced. Director Beaumont added that the County also reviewed the annexation plat and added three conditions. The first was a name change from Anderson Annexation Plat. The second was a requested block where the County surveyor could stamp it. The third was a wording change stating that the County Surveyor approved the final plat. Attorney Petersen indicated that she was unaware of the conditions and asked they be included in the motion.

Mayor Daniels opened the public hearing. There were no public comments. The public hearing was closed.

ACTION: Council Member Stanley moved to adopt Ordinance (2017-6) amending Pleasant Grove City Boundaries by annexing a portion of a parcel (0.194 Acres) designated in the Annexation Policy Plan, on property located at approximately 899 East 1190 North in the R1-9 (Single Family Residential) Zone, subject to the following:

Conditions:

1. The plat name shall be changed.
2. A block for the stamp shall be added.
3. The language shall be changed to reflect that the County Surveyor reviewed and agreed with the terms.

Council Member Andersen seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye". The motion carried unanimously.

Don Anderson reported that he purchased his property 11 years ago. He thought it made perfect sense to bring the property into Pleasant Grove. He expressed appreciation to staff and the Council for their consideration.

**G) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2017-7) AMENDING CITY CODE SECTION 10- 18-2 A AND J AS WELL AS SECTION 10-18-4, PARKING DESIGN STANDARDS, MODIFYING THE REQUIRED DIMENSIONS (LENGTH AND WIDTH) FOR PARKING STALLS, ALLOWING PARKING STALLS TO HAVE A MINIMUM DIMENSION OF 18 FEET IN THE GROVE ZONE-INTERCHANGE SUB-DISTRICT. (Applicant Daniel Thomas)
*Presenter: Director Young.***

Director Young explained that the applicant is requesting a Code amendment regarding a modification to the required dimensions of parking stalls within a specific area in The Grove – Interchange Sub-District. A request for an approval of a commercial preliminary plat as well as a

site plan for a six-story office building was submitted by the same applicant in the most recent Planning Commission Meeting; however, the site plans showed parking stalls with dimensions that do not conform to City code requirements. The existing City Parking standards in City Code 10-18-2A require all parking spaces to be 9' x 20'. The proposed site plan shows parking stalls that are 9' x 18'. An application for the City Code amendment was received by the Community Development Office on December 1, 2016.

Director Young explained that the Grove Tower is a recent project within the City that encompasses a six-story glass building intended to be used as professional and office space. The building footprint is approximately 32,729 square feet. Each floor has approximately 32,000 square feet of gross floor space from which 27,200 square feet can be counted as a usable office space. Since the building is six stories high, the total square footage is 192,000 of which 163,200 square feet is usable office space. The building height is approximately 97 feet tall at its peak.

The caveat regarding the proposed site plans is that the 908 provided vehicle parking stalls do not conform to the existing code requirements for the parking stall dimensions. The current ordinance requires all parking stalls within the City be 9' x 20'. The applicant is proposing to amend the City Code to allow for the parking stalls dimensions to be 9' x 18'.

Staff found jurisdictions with recent developments similar to the Grove Tower in neighboring cities such as Lehi, Draper, and Salt Lake City. During the field trips, staff measured the parking stall serving the developments and found that all of them were 9' x 18'. Ordinances regarding parking design standards were also checked and all presented the same dimensions with a couple of cities presenting even smaller sizes to accommodate compact vehicles. In order to keep the area competitive for the development of professional/office buildings with other areas with similar characteristics along the I-15 corridor, staff recommended the Planning Commission forward a positive recommendation to adjusting the parking design standards.

The Planning Commission reviewed this request on January 12, 2017 and forwarded a positive recommendation to the City Council for the proposed text amendments to Sections 10-182 A, J and 10-18-4 to amend the parking design standards. Additionally, they recommended that the Council look at possibly amending the parking stall size requirements in all areas of the City.

Director Young noted that there is a 24-foot drive aisle and explained that long trucks or vans may be a challenge to fit in the stall. Those types of vehicles, however, will be rare in an office development. He then presented verbiage examples from other municipal ordinances addressing the matter.

Council Member LeMone liked the idea of having more parking. While large cars are the minority, she was interested in reviewing findings for the entire City so that parking requirements can be consistent throughout the City.

Mayor Daniels opened the public hearing.

Scott Richards suggested having designated spaces for larger vehicles.

There were no further public comments. Mayor Daniels closed the public hearing.

ACTION: Council Member Andersen moved to Ordinance (2017-7) amending City Code Section 10-18-2 A and J as well as Section 10-18-4, Parking Design Standards, modifying the required dimensions (length and width) for parking stalls, allowing parking stalls to have a minimum dimension of 18 feet in the Grove Zone-Interchange Sub-District. Council Member Stanley seconded the motion. A public hearing was held. A voice vote was taken with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye". The motion carried unanimously.

H) PUBLIC HEARING TO RECEIVE COMMENTS ON THE PROPOSED PLEASANT GROVE CITY FISCAL YEAR 2016/2017 BUDGET AMENDMENT. (CITY WIDE) A COPY OF THE PROPOSED BUDGET AMENDMENT IS AVAILABLE AT THE RECORDERS OFFICE, 70 SOUTH 100 EAST, THE LIBRARY 30 EAST CENTER AND COMMUNITY DEVELOPMENT, 86 EAST 100 SOUTH. Please note: This item will be continued to the February 7, 2017 Council Meeting.

10) ACTION ITEMS READY FOR A VOTE

A) TO CONSIDER FOR ADOPTION A RESOLUTION (2017-02) ADJUSTING AND AMENDING THE ACTUAL AND ANTICIPATED EXPENDITURES FOR THE FISCAL YEAR 2016/2017; AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Director Roy Please note: This item will be continued to the February 7, 2017 Council Meeting.

B) TO CONSIDER APPROVAL OF A COMMERCIAL SUBDIVISION CALLED VALLEY GROVE PLAT B LOCATED AT THE SOUTHWEST OF THE INTERSECTION CREATED BY PLEASANT GROVE BOULEVARD AND GRANITE WAY IN THE GROVE ZONE – INTERCHANGE SUB-DISTRICT. Presenter: Director Young.

Director Young explained that this was the second step in approving Tower Grove Plat B. He presented a map showing that the subject property is adjacent to the BMW property located in the Interchange Sub-District. He noted that it is a one-lot plat and has been reviewed by the Planning Commission with no concerns. Attorney Petersen explained that as part of the negotiations with the developer, a letter was submitted stating that he agrees to construct a regional storm detention facility on the plat. Staff anticipated that a formal development agreement will be presented at the February 7 meeting. The City will have commitments regarding maintenance.

Director Beaumont commented that the City has had issues trying to meet the 100-year storm event requirement for that entire sector. They have been working with Daniel Thomas, who offered to resolve the issue for the City. He was willing to dedicate the ground to the City which will operate as a regional detention facility, with the caveat that he will construct and landscape the facility. The City's part of the agreement is to replace any infrastructure, as required. Director Beaumont said it is a gracious gesture to get rid of storm water concerns.

Administrator Darrington noted that the financial value is estimated at around \$150,000. Director Beaumont explained that 1.446 acres of ground will be dedicated. Some of the improvements would be required for Mr. Thomas' development anyway but the \$150,000 is in addition to that amount. He noted that the rendering does not show the latest dedicated area, although everything stated is correct. The actual plat has a dedication parcel.

In response to a question from Council Member Stanley, Director Young stated that the above stipulations will be recorded on the plat and not the site plan. Director Beaumont showed Parcel A, which is to be dedicated to the City beginning at the BMW site, along I-15, Pleasant Grove Boulevard, and Granite Way. He noted that the front doors of the building will be on the northeast side.

ACTION: Council Member LeMone moved to approve a commercial subdivision called Valley Grove Plat B located at the Southwest of the intersection created by Pleasant Grove Boulevard and Granite Way in the Grove Zone – Interchange Sub-District. Council Member Jensen seconded the motion. The motion passed with unanimous consent of the Council.

C) TO CONSIDER APPROVAL OF A SITE PLAN FOR THE GROVE TOWER, A SIX-STORY OFFICE BUILDING DEVELOPMENT, LOCATED AT THE SOUTHWEST OF THE INTERSECTION CREATED BY PLEASANT GROVE BOULEVARD AND GRANITE WAY IN THE GROVE ZONE – INTERCHANGE SUB-DISTRICT. *Presenter: Director Young.*

Director Young noted that there will be a slight adjustment included in the dedicated area as was previously presented by Director Beaumont. He presented the landscaping approved for the area as well as the setback areas from the streets. He stated that the site plan has been reviewed by the Design Review Board and the Planning Commission and both recommended approval. He showed the building elevation and commented that it meets the City's new urban design standards for the area.

ACTION: Council Member Stanley moved to approve a site plan for the Grove Tower, a six-story office building development, located at the Southwest of the intersection created by Pleasant Grove Boulevard and Granite Way in the Grove Zone – Interchange Sub-District. Council Member Andersen seconded the motion. The motion passed with unanimous consent of the Council.

D) CONTINUED ITEM: TO CONSIDER FOR APPROVAL A THREE-LOT FINAL SUBDIVISION PLAT CALLED HULLINGER PLAT D, LOCATED AT APPROXIMATELY 1290 NORTH 860 WEST IN THE R1-8 (SINGLE-FAMILY RESIDENTIAL) ZONE. *Presenter: Director Young (Continued from the January 3, 2017 Meeting).*

Director Young stated that the above item was presented to the Council on January 3, 2017. There was a concern brought up at that time and addressed previously by the Planning Commission that the vicinity plan being amended did not show support for the other neighbors. A condition of approval was that written support be received from the neighbors affected. He stated that written

support has been received and is in the packet. Director Young explained that the proposed vicinity plan will make a connection in a different area and create a cul-de-sac.

ACTION: Council Member Jensen moved to approve a three-lot final subdivision plat called Hullinger Plat D, located at approximately 1290 North 860 West in the R1-8 (Single-Family Residential) Zone. Council Member Andersen seconded the motion. The motion carried with unanimous consent of the Council.

E) TO CONSIDER FOR ADOPTION A PROCLAMATION RECOGNIZING JANUARY 22 – 28, 2017 AS SCHOOL CHOICE WEEK IN PLEASANT GROVE. Presenter Attorney Petersen.

City Attorney Petersen asked that the City Council consider the proposed proclamation. It was recognized last year and fits within the policy for proclamations. She explained it deals with the stated purpose and endorsement of the Pleasant Grove City elected officials for recognizing School Choice Week. The proclamation was read in its entirety.

ACTION: Council Member Stanley moved to adopt Proclamation recognizing January 22 through 28, 2017 as School Choice Week in Pleasant Grove. Council Member Andersen seconded the motion. The motion passed with unanimous consent of the Council.

F) TO CONSIDER FOR ADOPTION A RESOLUTION (2017-03) AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE PLEASANT GROVE CITY REDEVELOPMENT AGENCY (RDA) FOR TAX INCREMENT PARTICIPATION IN THE GROVE TOWER COMMUNITY REINVESTMENT PROJECT AREA AND PROVIDING FOR AN EFFECTIVE DATE. Presenter: Administrator Darrington.

Administrator Darrington gave an overview of the item, which would lead into the RDA items. He commented that in working with Daniel Thomas, particularly on the Grove Tower Project, he appreciated the City's relationship with developers. There are many items such as the parking stall size, the incentive plan, and the regional storm drain that the City has been working on that will allow projects to be built. He expressed appreciation for staff and Director Young's work on the project, as well as Mr. Thomas's willingness to work with the City.

Administrator Darrington stated that there have been discussions with Mr. Thomas regarding the tax incentive for the Grove Tower to be built. An MOU was passed by the City Council with parameters late last fall. When a tax incentive is requested, an applicant must deal with five tax entities consisting of Pleasant Grove City, the Alpine School District, Utah County, the Central Utah Water Conservancy District, and the Northern Utah Water Conservancy District. All five collect property tax. With an incentive, each entity decides what percentage they are willing to work with. The matter was to be further discussed during the RDA portion of the meeting.

As a City, there was discussion of giving up 75% of property tax over 20 years on the Grove Tower site and a small portion on the retail sites. The number on the MOU is \$1,527,000 over 20 years. Randy Sant, who prepared the report, could not be present due to an emergency. Administrator

Darrington mentioned that questions that cannot be answered tonight can be addressed later. He explained that the increment is generated so that 25% comes to the City and 75% goes back to the developer. Parts of the project had increased costs due to the building's size. Primarily the infrastructure of a six-story building causes more issues with the soil than a single-story building. The increment pertains to present day property values and the new taxes generated when the structure is built. If the project does not meet the estimates, such as only \$1 million of increment, 75% will be returned. If it exceeds the estimates, the increment will be capped at the amount specified in the MOU.

Council Member Stanley asked Administrator Darrington if this doesn't generate the increment that is expected then the City doesn't pay as much on that building but the increment area is more than just the building right? Administrator Darrington answered in the affirmative. Council Member Stanley then asked if the increment is on the whole package. Administrator Darrington replied that the increment is on the property tax it is not on the sales tax. If the property tax is not generating then the City is not required to backstop at the sales tax. Council Member Stanley clarified that this is not just the one building but the whole region that has the increment on it. Administrator Darrington responded that what is going to happen is that they have the estimate that says this is the value of one or two buildings so they built the value into that, it is going to be on the whole area and once we hit the \$1,527,000 before the 20 years then the increment will stop we won't have to pay any more of that back. That number was built into the estimate of one building not on the whole project area.

Mayor Daniels asked if this is on the increment not on the base is that correct? Administrator Darrington answered in the affirmative, it is on the taxes generated. Sometimes they get questions why they do this types of things, this is taxes that they otherwise would not have with a 6 story office building. If it turns into a 5 story office buildings they would generate more money and the City will be money ahead at the end of the 20 years. This does not account for the residual as far as attracting a higher quality of retail or getting the retail in soon because there is going to be more people in the area. This also does not account for the attractiveness of the Gateway of our community they have not attached a dollar amount to that. The Mayor noted that the reason that he has pointed this out is because when you do the increment financing regardless of the size you have made a commitment to a specific percentage of that of which you would not have otherwise received. Once it is paid back it is done. It is 100% of all of what they would have received plus the incremental value of the additional stories of the building. This is 100% of money that the City would have not received.

ACTION: Council Member Andersen moved to adopt a Resolution (2017-03) authorizing the Mayor to enter into an Interlocal Agreement with the Pleasant Grove City Redevelopment Agency (RDA) for tax increment participation in the Grove Tower Community Reinvestment Project Area and providing for an effective date. Council Member Jensen seconded the motion.

Council Member Stanley made a comment for the record, He is excited to see the project, he voted against the Memorandum of Understanding and he will vote against it tonight because primarily the size of this incentive in comparison to the doTERRA incentive and the fact that this incentive involves retail properties that are a high priority to the public and be consistent with what he has told the developer.

A voice vote was taken with Council Members Andersen, Jensen, LeMone, Walker voting "Aye" and Council Member Stanley voting "Nay". The motion passed 4-to-1.

11) CONVENE AS THE PLEASANT GROVE CITY REDEVELOPMENT AGENCY

ACTION: At Council Member Stanley moved to convene as the Pleasant Grove City Redevelopment Agency and adjourn the City Council Meeting. Council Member Andersen seconded the motion. The motion passed unanimously.

12) RECONVENE AS THE PLEASANT GROVE CITY COUNCIL

ACTION: Ms. LeMone moved to adjourn as the Pleasant Grove City Redevelopment Agency and reconvene as the Pleasant Grove City Council. Mr. Jensen seconded the motion. The motion carried unanimously.

13) ITEMS FOR DISCUSSION

There were no items to discuss.

14) REVIEW AND DISCUSSION OF THE JANUARY 24, 2017 JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING AGENDA

Administrator Darrington noted that January 24th was scheduled as a joint meeting between the City Council and Planning Commission. Planning Commission was asked if they had any items to discuss with the City Council, they didn't have anything to discuss. Administrator Darrington suggested that the January 24th joint meeting be canceled.

ACTION: Council Member Stanley moved to cancel next week's meeting. Council Member Jensen seconded the motion. The motion carried with unanimous consent of the Council.

15) NEIGHBORHOOD AND STAFF BUSINESS

Director Young reminded those present of the upcoming Community Visioning workshop.

Director Giles reported that Miss Pleasant Grove will be working on locations for the shoe drop-boxes, which will take place during the month of April. Mayor Daniels offered his property as well.

Director Beaumont stated that as of last Thursday, the City has reached 250% of normal water levels. There were over 22 inches of water last week and the normal for the year is 21 inches of water for the middle of January. He indicated that he will speak more at the Retreat about what that means for conservation efforts in Pleasant Grove. He did not believe they will have to rent water this year; however, conservancy efforts should still be made. Library and Arts Director, Sheri Britsch, provided brief updates on library programs.

16) MAYOR AND COUNCIL BUSINESS

Council Member LeMone mentioned that her affirmative vote earlier in the meeting will increase the City's sales tax and property tax revenue and put in residual benefits from surrounding businesses. She stated that it is a huge step forward in bringing the sales tax that is needed. She expressed thanks to Mr. Thomas and the Council for investing in the community.

Mayor Daniels reported on a recent meeting with S&P regarding the City's bond rating. The bond advisor expected to see a good rating this Friday. Council Member LeMone thanked Finance Director, Denise Roy, for her work and expertise.

17) SIGNING OF PLATS

There were no plats signed.

18) REVIEW CALENDAR

No additional calendar items were reviewed.

19) CLOSED MEETING TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION. (UCA 52-4-205 1 (c))

ACTION: At 8:14 p.m. Council Member LeMone moved to adjourn the City Council Meeting and enter into Closed Meeting to discuss pending or reasonably imminent litigation. Council Member Walker seconded the motion. The motion passed with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye".

PRESENT:

Mayor: Michael W. Daniels

Council Members: Dianna Andersen
Eric Jensen
Ben Stanley
Cyd LeMone
Lynn Walker

Staff Present: Scott Darrington, City Administrator
Tina Petersen, City Attorney
Kathy Kresser, City Recorder

ACTION: At 8:35 p.m. Council Member Stanley moved to come out of the closed meeting and go back into regular City Council meeting. Council Member Jensen seconded. The motion passed with Council Members Andersen, Jensen, LeMone, Stanley and Walker voting "Aye".

Mayor Daniels reported that no decision was to be made on what the Council discussed in the closed meeting. He mentioned that when the City Council holds a Closed Meeting, whatever is discussed must be kept confidential. If anyone from City Council releases any information, it is a Class B misdemeanor and can be prosecuted.

Council Member Stanley asked if there is a point when a GRAMA request can be made for Closed Meetings. Attorney Petersen explained that subject matter discussed during Closed Meetings are protected under GRAMA.

20) ADJOURN

ACTION: Council Member Stanley moved to adjourn. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

The meeting adjourned at 8:38 p.m.

The minutes of January 17, 2017 City Council meeting were approved by the City Council on February 7, 2017.

Kathy T. Kresser, City Recorder, MMC

(Exhibits are in the City Council Minutes binders in the Recorder's office.)