

**Pleasant Grove City Council and
Planning Commission Meeting Minutes
April 23, 2013
6:00 p.m.**

PRESENT:

Council Members:

Cindy Boyd
Lee G. Jensen - Mayor Pro Tem
Jay Meacham
Cyd LeMone

Excused:

Bruce W. Call, Mayor
Kim Robinson, Council Member

Planning Commission:

Scott Anderson
John Stevens
Steve Shrader
Diana Anderson
Amy Cardon

Staff Present:

Scott Darrington, City Administrator
Dean Lundell, Finance Director
Degen Lewis, City Engineer
Tina Petersen, City Attorney
April Harrison, Arts and Culture Director
David Larson, Assistant to the City Admin
Deon Giles, Parks and Recreation Director
Kathy Kresser, City Recorder
Mike Smith, Police Chief
Marc Sanderson, Fire Chief
Ken Young, Community Development Director
Greg Woodcox, Water Superintendent

Others:

Dave Erickson, Leisure Villas Developers
Guy Fugal
Paige Westover
Brian Westover
Jeremy Fillmore, Northland Design Group

The City Council and staff met in the City Council Chambers at 86 East 100 South, Pleasant Grove, Utah at 6:00 p.m.

1) **CALL TO ORDER**

In the absence of Mayor Call, Mayor Pro Tem Lee Jensen called the meeting to order and noted that Council Members Boyd, Jensen, Meacham, were present and that Mayor Call and Council Member LeMone would be arriving late. He excused Council Member Robinson.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner John Stevens.

3) **OPENING REMARKS**

Opening Remarks were given by Commissioner Steve Shrader.

Commissioner Shrader stated that the company that he works for has worked to change their culture over the last 1½ years and has implemented “Safety Share.” The focus of Safety Share has nothing to do with policies and procedures but is about caring for those that they work with. He stressed that caring is what makes the City better. He thought that everyone involved with the different Commissions and Councils in the City care about each other and the community.

Mayor Pro Tem Jensen stated that tonight’s meeting will serve as a work session of the City Council and Planning Commission. The public was invited but comments were to only be made by the City Council, Planning Commission, staff, and specific members of the community who were invited to speak about issues on the agenda.

4) **DISCUSSION WITH THE LEISURE VILLAS DEVELOPERS REGARDING POTENTIAL SENIOR HOUSING DEVELOPMENT ON THE WESTROC PROPERTY AT 670 WEST 220 SOUTH.**

Council Member, Jay Meacham, was identified as an engineer working with Dave Erickson from the Leisure Villas Developers. Community Development Director, Ken Young, stated that this is one of three projects that has come before the City in a conceptual form that does not necessarily meet the current vision or zoning of the City. Staff wanted to present the items to the City Council and Planning Commission because there is a possibility that they may work for the City. Director Young stated that representatives from all three projects were present.

Director Young stated that the Council has already met Larry Lindstrom, a representative for the senior housing project that has been proposed for Center Street. He explained that the proposed senior housing project will be built on the Westroc property, which is in the Grove Zone. He stated that the City recently identified the area as a site for how to potentially lay out density in the new proposed ordinance. He explained that this proposal is different from what was previously discussed and does not comply with the Grove’s Mixed-Housing Sub-District ordinance requirements. The code currently requires various things including 30% open space and three different types of housing products.

Director Young reported that the developers are seeking to accomplish their plan potentially through an overlay. In a previous meeting there was discussion about how to create a senior

housing overlay for a different project. Director Young suggested the Council consider the creation of a senior housing overlay that could work for both projects.

Dave Erickson was present on behalf of Leisure Villas Developers. Mr. Erickson identified Larry Lindstrom as President of Leisure Villas and reported that he was born and raised in Pleasant Grove. He reported that they are Northern Utah's largest senior community developer. Mr. Erickson reported that the senior apartment project he is working on currently is affiliated with Leisure Villas but is not part of tonight's presentation. He reported that Mr. Lindstrom's project is a family project outside of Leisure Villas. He noted that and that no one has more experience meeting senior housing needs than Leisure Villas.

Mr. Erickson stated that the senior population is the fastest growing demographic segment. They have found that seniors in Utah want to stay near where they raised their children, but are seeking a more carefree lifestyle. In the majority of their communities the homeowners on average come from within five miles of where lived previously. He reported that from 2010 to 2020 the number of retirees in the City will more than double.

Mr. Erickson stated that they average 1.6 people per household and 1.4 cars per home. Leisure Villas has 10 communities with over 1,000 homes. To date they have sold more than 700 homes and successfully survived the recession. He stated that the demand for their homes in the community has remained high throughout the recession, but the difficulty has been with people trying to sell their homes in order to move into the senior communities.

Mr. Erickson explained that it is difficult to create language and a code that fits all potential housing types. Their buyers are looking for a relaxed lifestyle with amenities. They do not want stairs and like the security that comes with being in a safe community. Their buyers are looking to make new friends and want to reduce maintenance issues. All Leisure Villa homes are ADA compliant and wheelchair accessible. All designs are open floor plans and an HOA manages the community. All communities have a large club house with a pool and barbeque area, exercise facility, library, pool table, kitchen, party room, and theatre.

Mr. Erickson stated that half of a senior community is the home, and the other half is the lifestyle that goes with it. He indicated that the Westroc property is under contract. He explained that other cities where Leisure Villas have developed have been pleased to have a senior community because they know they will not have a problem with the homeowners and it serves as a transitional development between two non-conforming developments. In West Jordan they are located between an apartment development and an expensive residential development. They help transition from the feel of the high density to the super low density.

Mr. Erickson stated that the density allowed in the Grove Zone allows for much higher density than Leisure Villas is asking for. They are requesting a density of 5.5 to 6.3 units per acre. He stated that most of their homes are single level and the maximum density cannot be reached without building a second level, which is not what their homeowners want. Their homes are clustered into four units per building with the front doors in the corner. There is also a great deal of open space. Mr. Erickson presented the site plan and stated that they have approximately 30% green space if the clubhouse and pool are counted. He indicated that they do very high quality landscaping in each of their communities and plant roughly 50 shrubs and six trees per building.

Mr. Erickson stated that when considering the potential Senior Overlay Ordinance it is important to remember that there is a need for this type of development and that few residents drive. Those that do are rarely on the road during peak traffic hours. The majority of traffic comes on Sunday, Mothers Day, and Thanksgiving. He stated that they incorporated off-street parking to accommodate the occasional need for additional parking, which will be maintained by the HOA. He stated that there is a large entryway and numerous sidewalks and paths.

Mr. Erickson stated that each home ranges in size from 1,600 to 2,000 square feet with a price range of \$220,000 to \$280,000. The homes are designed for two residents but can accommodate large family gatherings. There are two and three-bedroom plans and all homes have courtyards, patios, covered porches or a variation of each. All homes include two-car garages, although they are developing a model that includes a one-car garage. The homes are built to Energy Star standards. Mr. Erickson stated that if the City approves the project the result will be a less dense project than they would otherwise be able to build on the site. He noted that there is a need for this type of housing and that the units are single-family homes owned by the homeowners and managed by a professional HOA.

City Administrator, Scott Darrington, asked if the property is under contract and if all of the homes will include two-car garages. Mr. Erickson stated that the property is under contract and in this development all homes will have large two-car garages except for a few homes that will have a smaller one-car garage. He noted that that home design is still under development. Mr. Erickson stated that the right-of-way on the roads is the same as other streets in the City, but the asphalt is narrower. Having narrower asphalt allows for more landscaping and tight radii on the corners, which reduces vehicle speeds. Mr. Erickson stated that the only time the narrower road could be an issue is during construction when there are multiple construction vehicles on each side of the road. He reported that they have accounted for the need to be able to fit a fire truck on the road throughout the community.

Fire Chief, Marc Sanderson, stated that they follow the International Fire Code, which requires an unobstructed 20 feet of asphalt drivability. The only time they require more space is if the building is three stories or greater. Mr. Erickson stated that they do not have 20 feet available, but have never been flagged for not leaving enough space. Mr. Erickson stated that they could potentially only allow parking on one side of the street. He agreed to look into the matter.

Mayor Pro Tem Jensen asked about the size of front yards. Mr. Erickson stated that the setbacks have been designed as 15 feet around the rear perimeter and 12 feet from the setback line.

Council Member Boyd asked how open space will be counted to reach the 30%. Director Young stated that under the current proposal the City would move away from the 30% and consider this as an entirely new zone. The 30% will not work in this project; however, because of the lower density. As a result, they are considering something completely new. Council Member Boyd remarked that open space is very important and she wanted to be sure they are not creating an overlay just to meet the needs of Leisure Villas. She explained that the vision of the area is open space and trails. She expressed her support for the project and wants it to happen, but not at the expense of open space. Director Young stated that with this project the City would still require the 30% open space. He stated that the trails for the Westroc property were always planned to have open space and connect

to the west property, but would not include trails through the Westroc property. They hoped to have open space on either side of the property.

Mr. Erickson stated that they want to make their development as nice as possible and that there is too much that can go wrong with the term “open space” without it being further defined. His preference would be to have a tighter community that is lushly landscaped, than a large grass field. He knows that is what the buyers want as well. He reported that with the way open space is currently calculated, the development is at approximately 24%. Including the recreational facilities in the calculation adds another 1%. If the greenery within the right-of-way is included the total is 30%. He hoped to work with the City to find a way to incorporate their layout with the open space on either side of the development. Council Member Boyd hoped to work with Leisure Villas to blend their property into the nature park.

Mayor Pro Tem Jensen confirmed that there will be landscaping between the street and the meandering sidewalk. He was concerned about the guest parking for visitors and emergency access. He requested that in the future when they have a more detailed plan that parking issues be addressed. Mr. Erickson stated that there is an average of less than two people per home. They know from experience with their other communities how many people come to visit. They have based this project on what has been successful in their other communities. Mr. Erickson described the location of the proposed Meadow Park Villas in Lehi as west of 1200 East and west of Lowe’s for those interested in visiting it.

City Attorney, Tina Petersen, stated that it would help the Planning Commission and City Council to be provided with a list of the specific items that do not comply with the current ordinance and compare it to what Leisure Villas is proposing.

Commissioner Diana Anderson asked about the definition of open space and if it includes a clubhouse. Director Young stated that the clubhouse does not meet the definition of open space. Parkscape is included in the open space calculation; therefore, a pool could potentially be included. Narrow spaces of less than 15 feet between the street and/or parking and the building are not included.

Administrator Darrington agreed to work with Director Young to create the requested list of items that differ from the current ordinance. The applicants planned to report back at a future meeting to address concerns.

Council Member Meacham asked what area was to be included in the senior living overlay from previous discussions. Director Young responded that the overlay would have been for the 600 West and Center Street area. Commissioner Meacham stated that because of the specifics of this particular project they could include it in the RM-7 Zone or create a senior living overlay with two tiers to allow for differences among projects. Council Member Boyd stated that in a previous meeting they discussed allowing this type of project in the downtown area. Director Young stated that a broader overlay may be useful. Council Member Meacham asked if there was enough property to allow for this type of development. It was reported that there is not currently enough open land in the downtown area to develop a project like the one proposed.

Attorney Petersen stated that in the overlay they could identify the areas in the City where they would be willing to consider applying a senior housing overlay. Director Young thought that would be the most practical way to proceed.

5) **DISCUSSION WITH REPRESENTATIVES OF THE GUY FUGAL FAMILY REGARDING EXPANDING AGRICULTURAL PRODUCTION AT THE FARM AT 500 WEST 1100 NORTH.**

Director Young stated that the acreage is currently both residential and agricultural. There is limited agricultural production as historically occurred on the property. It is in the R-1-8 Zone, which does not allow new agricultural operations to be established. Because this property has existed for so long, it is a legal non-conforming use. The request was to expand the agricultural production. In order for the City to approve the request they would either have to change the property zoning to Agricultural, which does not meet the General Plan designation for the area, or create an agricultural overlay.

Paige Westover stated that the property includes a 3.4-acre parcel. It has been in her family for many years and she hoped to see the property remain as it is and retained as an agricultural enterprise. The family would like to increase the agricultural production. Ms. Westover stated that they are planning to build several greenhouses that will total approximately 15,000 square feet. The production would not be strictly in the greenhouse, but they are planning to use the all of property in a sustainable fashion and produce fruits, vegetables, and a few animals.

Ms. Westover indicated that they plan to use the greenhouses to produce a high volume of crops. They will grow their plants in a mineral nutrient solution. There is no soil, but an irrigation system where water circulates. The water recirculates, so very little water is used. This type of growing does not contribute to soil erosion and there is no associated run off. There will be no chemical pesticides or herbicides used, which she described as the most sustainable way to farm. She stated that they plan to sell their crops in the community.

Jeremy Fillmore identified himself as a representative from Northland Design Group who has been working with the Fugal family on their project. The property currently has a residence, pasture, and outbuildings and the family plans to remove many of the buildings. One building will be retained and relocated for use as a silo. The parameter of the property had been improved with privacy fences.

Mr. Fillmore stated that the three greenhouses will each be roughly 30 feet wide and 160 feet long, and attached to the existing shop, which leaves room to address setback issues. He stated that the family would also like to construct a historic barn to add to the character of the site. The barn would be approximately 35 feet tall with a 23-foot setback on the sides. The Fugal family spoke to their neighbors and the majority support the proposal. Mr. Fillmore explained that the outbuildings total approximately 20% of the lot coverage. The Fugal family believes the proposed use of the property is appropriate and will benefit the community.

Ms. Westover stated that there will be no retail on the property. Initially they planned to cultivate leaf crops and target businesses that value local crops. They do not foresee ever having a retail store on their property and will instead sell the produce wholesale. Attorney Petersen clarified that the use is grandfathered into the zone, however, that does not allow for expansion.

Ms. Westover stated that there is minimal farming on the property currently. There is a corn patch and they have chickens or sheep at any given time. The corn patch is roughly one-quarter acre in size. Administrator Darrington asked what part of the property is currently non-conforming and how would they expand the non-conforming use. Attorney Petersen stated that they would build two large structures as well as add the new type of farming which would be an expansion of the current non-conforming farming activities. Council Member Cyd LeMone liked the concept and hoped the applicants can make the project work.

Director Young stated that in the R-1-8 Single Family Residential Zone the Fugal family will not be allowed to sell commercially from their property. He explained that the size of the buildings may be of concern to neighbors and the large buildings will change the look and feel of the area. Ms. Westover stated that they have spoken with all of the adjoining neighbors and all support the proposal. Attorney Petersen stated that a public hearing will be conducted to gather public input.

Mayor Pro Tem Jensen asked if the access to the property will have to be improved. Ms. Westover stated that the current access will be sufficient for the new development. There will also be another road on the east side. Brian Westover stated that the largest truck on the property will likely be a refrigerated van or box truck. The access road will be cement up to the barn, and then some sort of paver over the remainder. The east road will be a carriage road comprised of crushed rock or gravel.

Mayor Pro Tem Jensen asked what types and how many animals the applicants plan to keep on the farm. He indicated that the neighbors may be concerned about the resulting noise and odors. Ms. Westover stated that they plan to have a few cows, chickens, and one pig. Currently there are 12 to 24 sheep grazing in the pasture. She noted that the pasture will not accommodate a large number of animals.

Attorney Petersen stated that because they have kept sheep on the property the use will be grandfathered and they can keep other animals as well. The current zoning ordinance allows for a certain number of animals depending on the acreage. Commissioner Shrader asked if the Fugal family plans to host special events on the property. Ms. Westover stated that they will have family events, but will not rent the property out to the public.

Mayor Pro Tem Jensen asked if school children will be allowed to visit the farm. Ms. Westover stated that they would love to have school children come, but it is not part of their business plan. Mayor Pro Tem Jensen expressed his support for the project and felt it will be a benefit to the community.

Council Member Meacham asked if the stub road on the north side of the property will make the large buildings more visible. Property owner, Guy Fugal, stated that the road was stubbed 10 years ago to divide the Fugal and Dee Jense property. Mr. Fugal stated that Dee Jense will remain on his property and allow the Fugal family's animals to graze there.

City Engineer, Degen Lewis, stated that the property is master planned in the sense that if the property above the Fugal property is developed there would be an orderly progression of the street

network. The Fugal's proposal would not prevent Mr. Jense's property from being subdivided. He stated that the large building will still comply with the setbacks.

Mayor Pro Tem Jensen asked if the overlay will go beyond the Fugal farm and into the homes to the west. Director Young stated that this is not a proposed overlay area. Mr. Fugal stated that the name of the farm will be Esnuck Farm and noted that his intent is to build something that will benefit the family for generations to come. Ms. Westover stated that they want the process to be as seamless as possible. Director Young stated that the next step will be to present the request to the Planning Commission.

Mayor Call joined the meeting at this time.

6) **DISCUSSION WITH CORY DAVIS REGARDING THE DEVELOPMENT OF THE TIMOTHY FAMILY PROPERTY AND STREET CONNECTIONS AT 800 NORTH 100 EAST.**

Director Young stated that the project was reviewed by the Council previously. He reported that the Timothy's would like to subdivide their property. A decision needs to be made as to whether 800 North will connect to 100 East, or if they will construct a cul-de-sac at the end of 800 North before it reaches 100 East. The Council recently considered purchasing a portion of the property in the 800 North corridor for potential development; however, the request was denied.

Administrator Darrington stated that the property owners asked about the road going through as well as the potential of a cul-de-sac and each request was declined. Mayor Call stated that the request will take a great deal of time. Engineer Lewis stated that the last proposal came to the Planning Commission in 2006 and at that time UDOT would not approve the request.

Mayor Call reported that the Project Representative, Cory Davis, could not be in attendance. He suggested that rather than discuss the proposal without Mr. Davis that the Council and Commission think about the pros and cons of the proposal. He stated that 100 East is a state road, so signaling can take a lot of effort. In addition, the road does not line up with the Junior High. He acknowledged that there are numerous issues associated with the project.

Attorney Petersen stated that the master plan showed the road as connecting. In the past there have been divergent opinions and there has not been a consensus. Previous Councils decided to put the matter on hold. In response to a question raised by Commissioner Shrader, Attorney Petersen stated that the City is waiting for the family to develop the property, which will require construction of the road.

Engineer Lewis stated that the boundary shown on the plan does not show the full Timothy property. He explained that the Timothys do not control all of the ground necessary to construct the road all the way through. Mayor Call stated that the Council and others questioned whether the property should be part of the master plan. Attorney Petersen stated that the property owners want a cul-de-sac. Commissioner Shrader commented that if the City were to approve the cul-de-sac they would have to amend the Streets Master Plan.

7) **MAYOR, CITY COUNCIL, PLANNING COMMISSION, AND STAFF BUSINESS**

Attorney Petersen reported that she attended a training where local government issues were reviewed.

Administrator Darrington reported that a brief Executive Session was needed to address a personnel issue.

Director Young distributed the weekly RAP sheet and reported that he attended a conference in New Orleans where he received a number of concepts and ideas to finalize the update to the General Plan as well as a needed update for the Downtown Master Plan. Council Member LeMone asked about the status of the amusement park. Director Young stated that they are in the process of working on the site plan.

Director Young stated that the RAP sheet shows that Proctor Corner is complete with a few minor items remaining to be finalized. He noted that there is a new Extra Space Storage that has already been approved with the Majestic Meadows site plan. A new Pizza Shop is going in where Quincy's boutique once was. He stated that the number of homes being built is more than double what it was last year. Director Young stated that Thorneberry is coming back to the Council to request a specific amendment to the downtown ordinance.

Finance Director, Dean Lundell, stated that they plan to sell the Storm Water Revenue Bonds and interest rates have moved in their favor over the past month. The overall yield was estimated at 3.25%. He stated that Mayor Pro Tem Jensen will sign the bonds on April 24, 2013. Director Lundell stated that part of the reason for selling the bonds was to allow for a lower rate if the City purchased a certain type of insurance. He noted that a hearing is scheduled with the Utah Board of Water Resources in mid-May.

Engineer Lewis reported that he distributed a map of the bike and pedestrian trails throughout the County and it is posted online as well at mtland.org. It is an interactive map that will hopefully be expanded to connect to City transit soon.

Assistant to the City Administrator, David Larsen, has received questions regarding the ribbon cutting for Rocky's and Alysha's. He stated that ribbon cutting for both businesses will be done together. He reported that the Chamber is doing well and the magazine came out recently.

Police Chief, Mike Smith, stated that the Citizens Academy will begin May 1 and they still have room for a few more attendees. He reported that the Hero's Behind the Badge event was successful and he would report back to the Council on how much money was raised. Chief Smith stated that 550 tickets were sold and he was pleased with their corporate sponsorship.

Director Deon Giles stated that Arbor Day is Saturday at 8:00 a.m. at the Manila Creek Park. He stated that they will have a short program and will then plant trees.

Mayor Call asked Assistant Larson if he had seen the shared document regarding the FAQ. Assistant Larson stated that he had seen the Mayor's comments and there were people working on them. He noted that it will be finalized and ultimately posted on the website and social media.

Commissioner Stevens stated that the Planning Commission appreciated being included in tonight's meeting.

Commissioner Shrader reported that they went to Logan for the APA. Commissioner Anderson stated that on the way home from Logan they looked at a case study involving Layton's Station Park. She was anxious to learn how they accomplished the project.

Council Member Jensen stated he asked Director Young to review the situation on Center Street and 600 West of what is allowed in the zone for their business. He feels that they have too many cars on the property that needs repair. They had a discussion on the issue a year ago, and he wanted to correct it. Council Member Jensen reported that two weeks ago Rick and three workers at the golf course were hit by a car. There were no fatalities, but there were major injuries.

Council Member LeMone asked about the concrete by Water Gardens and if there is any way to clean it up. Director Young hoped it would be cleaned up with the proposed development. He reported that the property has been under bank ownership for several years, so the City is limited in terms of what it can do. Mayor Call stated that the larger issue pertains to Strawberry Days. They need to be aware of properties that are visible to visitors who come to the City. Administrator Darrington agreed to look into what can be done to clean up the property. Council Member Jensen stated that the north east corner on 200 South and 100 East needs to be cleaned up as well. He stated that removing the fence may be enough to make it look better.

Council Member Meacham asked for a report on the recent City cleanup. Water Superintendent, Greg Woodcox, stated that it was a success. They obtained a large amount of scrap metal and had a great turnout. Council Member Jensen requested a follow-up regarding the possibility to introducing a "green pick up." He stated that they need details on cost and if it is feasible.

Council Member Boyd stated that when they were preparing the welcome packets for new citizens and new businesses they came up with the idea of putting welcome messages on the marquee. She had not seen that happen yet, however. Assistant Larson stated that the plan was to put up the welcome message once the doors of the business opened.

Mayor Call reported that he attended the School Board Meeting earlier in the evening to express gratitude to the Board for their willingness to work with the City on bringing doTERRA to the community.

Mayor Call then called for a motion to go into executive session to discuss the character professional competence or physical or mental health on an individual. UCA 52-4-205(1)(a)

ACTION: At 8:05 Council Member LeMone moved to go into executive session to discuss the character professional competence or physical or mental health on an individual. Council Member Boyd seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham and LeMone voting "Aye."

PRESENT:

Mayor:

Bruce W. Call

Council Members:

Cindy Boyd
Lee G. Jensen
Jay Meacham
Cyd LeMone

Excused:

Kim Robinson, Council Member

STAFF PRESENT:

Scott Darrington, City Administrator
Tina Petersen, City Attorney
Mike Smith, Police Chief

EXECUTIVE SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL (UCA 52-4-205 (1)(a))

ACTION: At 8:25 p.m. Council Member Meacham moved to come out of executive session. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Jensen, LeMone and Meacham voting “Aye.”

8) **ADJOURN**

ACTION: At 8:25 p.m. Council Member LeMone moved to adjourn. Council Member Meacham and the motion passed unanimously with Council Members Boyd, Jensen, LeMone and Meacham voting “Aye.”

This certifies that the City Council Minutes of April 23, 2013 are a true, full and correct copy as approved by the City Council on June 4, 2013.

Kathy T. Kresser, CMC City Recorder

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