

Pleasant Grove City Council Work Session Minutes
June 29, 2010
6:00 p.m.

PRESENT:

Mayor Pro Tem:

Cindy Boyd

City Council Members:

Val Danklef

Lee G. Jensen

Kim Robinson

Jeffrey D. Wilson

City Recorder:

Kathy T. Kresser

Colleen A. Mulvey, Deputy City Recorder

Others:

Scott Darrington, City Administrator

Tina Petersen, City Attorney

Ken Young, Comm. Dev. Director

Lynn Walker, Public Works Director

Marc Sanderson, Fire Chief

Degen Lewis, City Engineer

Sean Allen, City Planner

Cory Fralick, Intern

Libby Flegal, NAB Chair

Excused:

Bruce W. Call, Mayor

Dean Lundell, Finance Director

Richard Bradford, Economic Dev. Director

Deon Giles, Leis. Services Director

Tom Paul, Police Chief

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

1. Call to Order

Mayor Pro Tem Boyd called roll for the Council and noted that Council Members Danklef, Jensen, Robinson and Wilson were present and that Council Member Robinson will be excusing herself from the meeting around 7:00 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was lead by Council Member Wilson.

3. Opening Remarks

Opening Remarks were given by Administrator Darrington.

Mayor Pro Tem Boyd pointed out the following changes to the agenda: item number eight, the discussion of the proposed chicken ordinance would be first and item number four, the discussion of permitted uses in the Grove Zone will be the last item discussed, also items number nine and twelve have been removed and will not be discussed tonight.

4. Discuss proposed ordinance for chickens

Mayor Pro Tem Boyd explained that there has been some interest from the community to discuss this item and give the opportunity to create some type of ordinance that protects those who wish to have chickens as well as protect the neighbors in the areas that this will be permitted. Mayor Pro Tem Boyd stated that because there are some individuals in the audience who came tonight to discuss this, that they may raise their hand and we will allow their input.

Administrator Darrington said that they have looked into what other cities are doing and have compiled a Regulation Comparison Chart (Exhibit A) and City Planner Allen has put together an ordinance that at this point will be for discussion and for us to review the specifics of how many chickens are permitted and some of the conditions that will apply if we allow this. Currently the keeping of chickens is not a permitted use in certain zones and if this is something that we do want to entertain we will need to adopt an ordinance.

Council Member Danklef asked for the definition of Permitted/CUP. Administrator Darrington said that it means a conditional use permit, if somebody wanted to keep chickens they would have to run it through the Planning Commission to get approval.

Administrator Darrington explained that with most of the cities that we talked to have set up regulations that deal with containment and structure restrictions, keeping of chickens for egg only or egg and meat production, permits and fees. If we allow the keeping of chickens part of the issue will be with enforcement and proper fees and we will need to work through the details and areas of responsibility and determine if it will be through the code enforcement or animal control.

City Planner Allen said that this chart is a comparison of what other cities are doing and where we want to be in relation to those cities. What we have proposed so far is comparable to these cities in terms of the number of chickens and the ratio of how that is determined which is based on lot size and most of what these cities are doing are all pretty similar in what they allow. Planner Allen said that with requiring a Conditional Use Permit (CUP), if we don't adopt restrictions that are specific enough in the zone that regulates the chickens then the Planning Commission can handle it as a case by case basis and determine what is appropriate and what conditions might need to be applied or if the restrictions are outlined clearly in the zone then we could just make it a permitted use and not require the CUP. Planner Allen stated that as far as the fee, Provo is the only city that charges a fee and it is an annual fee associated with the business and that he does not like that because it is not a business but yet it is going through the business license division. Mayor Pro Tem Boyd stated that

we don't charge a fee for somebody to have a rabbit or a bird. Planner Allen said that whether this will be permitted or a CUP will be a strong topic of discussion and a fee will also be a strong topic of discussion because we need to decide who is going to manage this if it is adopted and who will be enforcing it. Planner Allen added that Linda Butler, a citizen who is very interested in being able to keep chickens and has been working with him to craft some kind of ordinance that will allow this as a permitted use, is here tonight and can help answer any chicken questions.

Mayor Pro Tem Boyd asked if there were any cities that were contacted that do not allow chickens. Planner Allen said that for our area Saratoga Springs has put it off and does not have an ordinance right now. Mayor Pro Tem Boyd said that for the most part, most cities do allow them and that the comments on this comparison chart are saying that there are not many complaints and there is nothing very negative reported. She said that the feeling that she got from the citizens who contacted her is that what they want to portray is that they want to be self sufficient, provident living; the chickens eat leftover vegetables and insects. Mayor Pro Tem Boyd then asked how we are hearing if there is a chicken problem, is it only by nuisance or complaint? Attorney Petersen said that our code enforcement officer would be the best person to answer that and that she has only dealt with noise complaints involving roosters. Administrator Darrington asked what we currently allow. Attorney Petersen said that chickens are allowed in the rural R-R zones but not in any R-1 zone. Council Member Robinson added that just like the accessory apartments, they exist.

Administrator Darrington said that what we what to accomplish tonight is to answer some basic questions and to see if there is enough interest from the Council to continue with this item. Mayor Pro Tem Boyd said that she would like to see us work through this item stating that there is that much interest in the City to make it so people can have chickens to pursue their provident living or to keep them as pets, there is a need for the community that wants to provide this for their family and we ought to at least look at a way to make that a benefit to the community and also to protect those that don't want the chickens.

Council Member Robinson asked if there are a minimum number of chickens that you have to have to produce eggs. Ms. Butler said that there is no minimum number and there are people who only have one but that in the winter because its cold they huddle together and they are flocking creatures and thinks that they are happier if there is more than one.

Council Member Danklef stated that if you have chickens and a coop, discussions indicating that they allow them out in the yard to eat insects, does that then mean that they will be allowed to be out of the coops. Planner Allen said that all of the cities with the exception of Lehi require a contained yard area. Council Member Danklef asked if there is a limit on the size of fence or whatever is built for containment because chickens can scale a six foot fence. Planner Allen said that the fencing standards would apply and each city has their own but you can certainly add to that with this particular ordinance. NAB Chairperson Flegal said that when you keep chickens contained for a certain period of time, when they are let out they tend to stay right there. Council Member Danklef

said that his father ran large chicken farms and all his life he has been around chickens and is not naive about chickens and to say that they are going to stay in a yard is wishful thinking. Ms. Butler stated that there is a big difference between chicken farming and keeping chickens more like pets and there are a lot of means available to keep them contained and keep them safe.

Attorney Petersen asked if anyone has had experience with a residential neighbor keeping chickens and neighboring dogs that may go after them or may constantly bark at them and how does this impact the rest of the neighbors. Director Walker stated that in his neighborhood they have the situation of dogs and chickens coexisting with no problems at all but the neighbors with the chickens keep them in the coop most of the time.

Council Member Danklef asked if we are opening this up to where other animals will creep in and cited the example of back in the 1970's when Pleasant Grove was transitioning from rural to urban and the City passed ordinances that once an animal left and was no longer on the property that you could not bring another animal back on and a lot of people were asked to get rid their animals and this caused a real stir. Council Member Danklef said that his concern is that if we allow chickens in then what if someone asks for a pig or a lamb, etc., we are throwing out the ordinance if we invite chickens in and is that going to invite other types of animals back in. Attorney Petersen said that this ordinance is specific to chickens so it will not allow other animals to come in, but you do make a good point that if there is citizen interest in chickens so we open it up and allow it and if there is another group that wants to come in and have pigs, then we might be looking at having a pig ordinance in the future, she added that this is still the Council's decision whether to allow them or not. Mayor Pro Tem Boyd remarked that we have pretty tight, specific animal ordinances that specify the types of animals and numbers allowed.

Council Member Wilson said that we will be changing that now with this chicken ordinance and added that if we are to put on the ordinance that it is for both meat and egg production in residential zones then he cannot support it. Mayor Pro Tem Boyd said that we can eliminate the meat production and the slaughtering from our ordinance and also specifically state that it will not permit roosters.

Planner Allen next reviewed items that are in the proposed ordinance (Exhibit B) and pointed out the table that lists the number of chickens allowed per zone and that the zone is based on lot area, the square footage of the lots. Planner Allen said that the trouble in crafting this table is that as you go up in lot size the number of chickens increases and at what point does a person really have enough, there gets to be a point where there is excess where the ratio can stop and we need to figure out where that is. Administrator Darrington said that we can cap that number, it doesn't have to go all the way up to twelve and we can also reset a minimum number allowed. Planner Allen stated that this proposed ordinance follows what most cities have except that most cities start at five thousand square foot lots and ours with the R1-7 zone begins with seven thousand square foot lots and as it goes up one thousand square feet another chicken is allowed.

Attorney Petersen said that one of the options is to permit chickens in the R1-7 zone when the lot is a certain size instead of what it shows in this proposed ordinance where it allows them on any sized lot in the zone. Planner Allen said that if we end up adopting setbacks and coop standards then the R1-7 zone will become problematic because the minimum setback in that zone in the rear yard is only fifteen feet and that is usually how far you would want to be from your neighbor's property line to begin with. Attorney Petersen said that this is something to consider and be aware of that keeping chickens may not be possible for the R1-7 zone because of these setback requirements unless there are lots in this zone that happen to be bigger than seven thousand square feet.

Planner Allen stated to simplify this we could all agree that there has to be a coop to house the chickens, they need that for protection and then we can focus and decide on the setbacks and this will help in determining the number of chickens and the zone that we allow them in. Director Young said that rather than focusing on what zone they are in maybe we should just eliminate discussing the zone and talk about the size of the lot. Administrator Darrington said that that might affect enforcement issues because the enforcement officer will have to know the square footage of each lot and that if we head in that direction we will need to have some sort of fee attached with this so that we are recovering our costs. Director Young said that they could look up the square footage before they go out and on the fee issue; if it were made a conditional use because that requires a Planning Commission hearing then a fee is supportable. Administrator Darrington added that we would also have record of who does have chickens if it is a conditional use.

Council Member Danklef asked if twelve is the maximum number of chickens that will be allowed. Attorney Petersen said that twelve is the maximum number in an R-1 zone, in the Rural Residential and the Agriculture zone it is still going to be determined by the lot size and it will follow the other ordinance.

Mayor Pro Tem Boyd asked if there was any further discussion. Attorney Petersen stated that she would like to discuss this further with Planner Allen before he redrafts the proposed ordinance. Mayor Pro Tem Boyd then said that we can put this on for discussion at the next work session meeting and that she challenges the Council members to become familiar with this so that they are prepared to discuss and move forward on this. Administrator Darrington said that it makes sense to tie this into the lot size and that we will look into possibly reducing the number of chickens allowed we will work on this and put it back on for the July 13th work session.

Council Member Jensen stated that he would like to see a report and some input from staff on why we shouldn't have a chicken ordinance, rather than this being all one sided that he would like see some research on the reasons why other cities have said "no," so that we have some balance here. Planner Allen said that he could put together that information for the work session.

Council Member Danklef stated that another issue that ought to be addressed is for the larger lots if they are going to have several chickens what are they going to do with the manure. Planner Allen

said that under the maintenance section of the ordinance it makes a reference that the coops need to be cleaned and prevent any odors but it doesn't address what to do with the waste. Mayor Pro Tem Boyd remarked that we don't tell a dog owner what to do with their dog's waste.

Planner Allen then asked if the idea of this being a conditional use permit was favorable or do we want to make this a permitted use with very strict guidelines. Administrator Darrington said that we have got to have some sort of permitting procedure whether it's conditional use through the Planning Commission or administrative because we need to know what residents have chickens so that we can deal with any nuisance complaints properly.

Mayor Pro Tem Boyd said that she wants to make sure that we have at least three Council members that want to move forward with this and then asked for a straw vote. Council Member Robinson stated that she needs to understand this a lot more before she can move in either direction. Mayor Pro Tem Boyd then said that in that case we will move forward with further discussion of this item at the next work session.

5. Discuss the Green Waste collection

Council Member Jensen said that a green waste collection program is the natural second step to take with respect to the recycling program. Council Member Jensen explained that green waste is a big nuisance to landfills and it can all be taken to TSSD at no tipping charge and that he feels we may get a better response to a green waste program than the recycling program because it is only an eight or nine month cycle collected weekly from March through November and during that time period pretty much every residence has green waste. Council Member Jensen said that he has spoken with Allied Waste and they are willing to start a green waste program with us, and that this would be a voluntary program.

Administrator Darrington said that about three months ago he spoke to Allied Waste and at that time they were not doing any green waste collection with any cities but that they could and the more people you had signed on to the program the cheaper it would be.

Council Member Robinson stated that as these recycling discussions move forward that she would like to have the manager of the North Point Landfill come to a work session and talk to us and educate us about the pricing structure of recycled items because they have said that the price on all of the products has gone up and they are convinced that we should be getting paid for what recycling we are doing. North Point said that they would like to come and speak to us and make us aware of the presentation that Allied Waste has made and how it differs as far as the trends in the recycling market are going. Administrator Darrington said that we are presently locked into a contract with Allied so having them come in may not change anything but it would be nice for us to get more education on recycling and we can put them on the schedule for a future work session.

Council Member Jensen said that a green waste collection program would benefit the City because all of that tonnage is no longer a part of our tipping charge. Administrator Darrington said that if we have the opt in option and it's at a reasonable price and Allied Waste will do it, there really shouldn't be any reason why we wouldn't have the program.

6. Discuss and review the Transportation Master Plan – streets with no sidewalks

Administrator Darrington stated that this issue came up a little while ago about a certain street that a particular resident had made some improvements to his lot and because of his improvements, which has to do with the street improvement it requires him to put in the sidewalk. So the question is are there certain streets in our city where we don't want to force people to put in sidewalks?

City Planner Allen said that this particular property is on 180 West and the resident has built out some elaborate landscaping and it is very well done and it is a feature in the neighborhood that everybody enjoys but it is built into the City right of way where the sidewalk would go if we improve the street. Council Member Jensen said that when the new development went in, that mound was put in there and he landscaped it because it was an eyesore. Mayor Pro Tem Boyd added that it wasn't in the right of way when they built the house. Planner Allen said that the request was for us to bring this to Council's attention and consider adopting something in our Transportation Master Plan to protect these types of country lanes that don't have sidewalks. Council Member Jensen stated that the request is to also identify other streets, avenues or lanes that could fall under that kind of an ordinance.

(Council Member Robinson left the meeting at 6:58 p.m.)

Attorney Petersen asked what kind of criteria we would use in identifying these lanes, would it be the respective property owners and not the City making the determination? Council Member Jensen remarked that both could but that his original suggestion was that we as a City decide that that is where we want to go and we identify the streets that would fall under a country lane exemption.

Administrator Darrington asked if our Transportation Master Plan dictates where we would want sidewalks. Engineer Lewis said that we install sidewalks everywhere, there is no exemption. Planner Allen said that right now what we have is a waiver of protest process, if someone does an improvement on the property then that kicks in the requirement for the improvements and they can go to the Planning Commission and ask to waive the right to protest in the future. Engineer Lewis stated that that doesn't waive the requirement. Planner Allen said that it does make us look at every road on a case by case basis.

Administrator Darrington said that his concern with not requiring sidewalks in the future for improvements is that the other neighbors may want to have sidewalks and that these people who live in these homes right now are not always going to live in these homes and someday there might be

those that want to put sidewalks in. Part of walkable communities is that you have sidewalks and if we are trying to figure out ways for people to not have to put sidewalks in we need to be careful. Council Member Jensen said that residents can petition to get sidewalks put in and that the motivation here is there may be certain streets in the City that lend itself to not having sidewalks due to the ambiance or environmental aspect that shows that the street would be better off without the sidewalk.

Engineer Lewis said that the transportation system is set up for the City to use as a system and here we are discussing dropping out a major component for the pedestrian and bicycle users on the streets and any non-motorized vehicle is being forced to use the motorized vehicle pathway. That is a major safety concern.

Mayor Pro Tem Boyd mentioned that in the past the Planning Commission investigated low impact streets and we made a determination that was on the Street Master Plan that some low impact streets may have a sidewalk only on one side and a lot of research went into several different options and a lot have been identified as a country road and she wonders if that was still a part of the plan. Engineer Lewis said that he doesn't remember it being on the last Transportation Master Plan, they did add as a concept, a residential sub-local road that was recommend by Horrocks to look at on a case by case basis limited by length.

Mayor Pro Tem Boyd then said that she doesn't think that we ought to identify roads that we don't want curb gutter and sidewalk but identify low impact roads and those that maybe only need a sidewalk on one side. Planner Allen added to keep in mind that some areas have to have sidewalks; they are required because of public safety issues.

Administrator Darrington said that we as staff will meet and discuss more about identifying low impact roads and impacts of traffic and then get back to the Council and if this gets to the point of adopting an ordinance then we will probably have to do some sort of study to determine traffic flow.

7. Discuss 100 East Environmental Assessment

City Engineer Lewis said the Mountainland Association of Governments (MAG) approved our application for funding for this Environmental Assessment in the amount of one hundred and three thousand dollars and it was funded in the 2012 Federal year so we wouldn't actually have access to it until October of 2011. Engineer Lewis explained that he asked MAG if it would be possible for the City to expend the funds and then be reimbursed because we are interested in trying to resolve some of the transportation issues in conjunction with VCBO Architecture's current work with our downtown Civic Center. They have responded and said that they will work to accelerate that funding and we are hoping to get going with this right away and have some public hearings and discussions and complete the environmental assessment to look at how we would connect from Geneva Road to 100 East. Engineer Lewis said that when this is done, the end product of the environmental

assessment is a document which lists the preferred alternatives which will then have us in line for funding, this document complies with federal rules so we should be eligible for any type of funding source that comes available and would eliminate any more discussion of a need to include a transportation element with VCBO Architecture's work.

Mayor Pro Tem Boyd asked if there was a fee or cost with this. Engineer Lewis said that we have a seven percent match that will cost us about ten to fifteen thousand dollars.

Administrator Darrington said that 100 East is currently a UDOT road but will probably not be for much longer. Engineer Lewis said that UDOT and the County at this point have a verbal agreement to transfer jurisdiction of State Route 146 to the County as part of the County's goal to get the State to take over what is referred to as North County Boulevard (1000 South). Council Member Jensen asked why they would want to do that type of swap because it's 100 East that has all of the issues. Engineer Lewis said that when North County Boulevard is done it will be a major intercommunity or regional access road so it makes sense for a regional entity to own it and UDOT does not want 100 East and it doesn't make sense from a logical standpoint for the State Transportation Agency to control a road which only goes between three communities. Administrator Darrington added that we are hesitant to take it strictly because of the maintenance cost to us. Engineer Lewis said that with the County taking 100 East over it will probably be the busiest road they have so it will become a very major, important road to the County.

8. Review and Discussion of permitted uses in the Grove Zone

Administrator Darrington handed out a summary (Exhibit C) of the key points that were discussed with the Economic Development Committee in regards to the zoning at the Grove Interchange and what they are recommending to the Council for discussion. He explained that a lot of discussion went into the uses and the types of businesses that we want there because this is the gateway to our City. There have been some businesses interested in locating in the Interchange Zone that were not necessarily the types of businesses that we are interested in for this area and the discussions turned to what is allowed in this zone. Administrator Darrington said that they did some research into what are the permitted uses and over one thousand of them were reviewed and then streamlined to save time and what we want to focus on is the Interchange area and at another time we can talk about the Commercial Sales and the Mixed Use zones, but for the purposes tonight we want to discuss what we want allowed in the Interchange zone. One of the first things we talked about is if we are going to make the zoning more restrictive in the Interchange then possibly reducing the size of this zone and make anything north of 700 South a Commercial Sales zone and that portion could be a little less restrictive. Administrator Darrington said another concept that they discussed was getting even more restrictive on the corners and preserve those for specific retail purposes only, so we can craft some zoning to preserve these corners and even further restrict what is in the Interchange. Administrator Darrington next pointed out that we want to define what a Big Box and a Mid Box are and as we have talked about this in the Economic Development Committee the concern is that with this being

the gateway to the City do we want the huge stores with the big parking lots there. When we talk about Big Box we are referring to stores of one hundred thousand square feet or larger, typically stores like Super Walmart, Super Target, Costco, etc., these types of stores are great for a sales tax base for a city but if there is any way that we can push them up into our Commercial Sales or Mixed Use zones that would be more ideal rather than right in the Interchange zone area. We will need to talk about if we want to limit the size of the businesses that go in the Interchange and do we want to not allow Big Box stores but allow a Mid Box which would be a forty five thousand to one hundred square feet in size. Administrator Darrington also added that we do have design standards for this area so if we did have a Big Box that wanted to come in they would still have certain design requirements that they would have to meet to make sure that it looks nice for this area and having these design standards may make a Big Box look more desirable and then it might be acceptable to us. Administrator Darrington said that what we want to focus on here also are permitted uses and not get much into conditional uses and whatever we are allowing in this area we want it to be a permitted use and that they have created a list (Exhibit C) of businesses that we recommend that be allowed in this area, types of businesses that we need to discuss whether we will permit them and businesses that we will not allow in this Interchange zone.

Mayor Pro Tem Boyd asked in regards to the size of the Interchange zone, how it increased in size. Attorney Petersen said that in the original 2004 Gateway zone ordinance that was adopted the Interchange district looked exactly like what we are proposing here, 700 South was the northern most boundary. In 2007 an amendment was made, originally there were five sub-districts in that ordinance and it was collapsed down into three sub-districts and that is when the Interchange zone got expanded northward. Director Young said that the expansion of the Interchange sub-district area occurred based on some discussions that were lead by the former Mayor about where some of our economic pursuits were heading at that time and that it would be beneficial based on some of the things we thought we were going to be getting, so additional land was added to that sub-district.

Council Member Jensen mentioned that a lot of the Interchange area is already taken by office space. Administrator Darrington agreed and said that we need to discuss if we want to restrict how much more office space goes in there so that we do have some retail and not lose out on this great opportunity to collect sales tax and that is why we are recommending to preserve the corners for retail development and we can let the office space go everywhere else.

Council Member Jensen asked about the list of permitted uses and questions whether they would be a part of some type of shopping area or center or could they be put in one opportunity at a time. Administrator Darrington said that we have talked about a lifestyle mall and many of those uses go along with that and that is the tricky part of this process, when you talk about controlling the uses it might not get us where we want to go for this area. Mayor Pro Tem Boyd asked if we could make these uses permitted only if they are in a lifestyle mall. Director Young said that you can put verbiage in the ordinance that would restrict that it could only be a part of a larger development or whatever you want to restrict it to.

Council Member Jensen stated that another problem that he sees with this area is that there is little to no in and out access, it is set up for right turns only and that is not very conducive to retail businesses. Attorney Petersen said that the initial concept for that road (Pleasant Grove Blvd) was not to have a lot of accesses and Big Box businesses there so that's why it was designed that way and the plan was to use 2000 West for the big accesses. Administrator Darrington said that when we figure out what we are looking for in this area and when we are approached with proposals for new businesses who are asking for better access then we can address it at that time, we don't need to go in right now and change it. Engineer Lewis mentioned University Parkway in Orem as an example and that the access controls are similar, their only left hand turns are at the traffic signals.

Mayor Pro Tem Boyd said that she wants to make sure that we have a lifestyle mall type of environment instead of standalone businesses. Director Young stated that he feels it would be wise for us to put some verbiage in our ordinance that would restrict certain uses to be a part of a larger development. Council Member Danklef said that the key here is the list of the types of businesses that we will not permit in this zone.

Administrator Darrington said that we have listed the types of businesses that we do not want in this area which include convenience stores, gas stations, fast food restaurants, governmental and educational services, religious and non-profit organizations. Council Member Danklef asked if that would eliminate the potential Fire Station planned for that area. Administrator Darrington said that it possibly does. Attorney Petersen said that if the border is reduced then it will not affect the area where that building was planned.

Council Member Jensen asked what the difference was between a quick service restaurant and a fast food restaurant. Administrator Darrington replied that a quick service restaurant is the type where you don't have food servers but you can sit down and eat and there is no drive through, something like a Café Rio or Bajío Mexican Grill.

Mayor Pro Tem Boyd said that because we already have a car dealership out there (BMW) that she prefers that there not be any new or other car dealerships along the Boulevard. Administrator Darrington said that we will figure out a way to restrict them so that they are not right on the Boulevard and that most of the businesses that we are not allowing in the Interchange zone will be permitted in the surrounding Commercial Sales areas. Attorney Petersen mentioned that there have been discussions in the past to group another new car sales business right by the BMW dealership. Mayor Pro Tem Boyd said that that would be fine as long as it's not on the Boulevard.

Council Member Jensen then asked what the difference was between a department store and a general merchandise store. Administrator Darrington said that department stores are like Dillard's, Macy's and Sears and general merchandise is more like a Walmart or a Target store.

Mayor Pro Tem Boyd said that for the Interchange zone we have established that what will be allowed there has to be a part of a lifestyle mall and not standalone businesses. Planner Allen said that we don't necessarily control the land; the owner could end up changing their mind on the lifestyle mall. Administrator Darrington said that we can control the type of development that is going in. Administrator Darrington then said that even with a lifestyle mall, there will still be property available so we can't restrict everything to a lifestyle mall.

Attorney Petersen commented that if the hotel and convention center is going in by the freeway there may be some uses that we may want to consider allowing that would support the people that are going to be using that hotel and convention center, perhaps a Walgreens or Rite Aid that will be within walking distance.

Mayor Pro Tem Boyd stated that she would like to get a feel from the Council if they were in favor of changing the Interchange zone and reducing it back to what it formally was with 700 South being the northern most boundary. Administrator Darrington added to that to get the feel if the Council was in favor of the idea of preserving the corners for retail development only. Council Members Danklef, Jensen and Wilson indicated that they were in favor of both.

Mayor Pro Tem Boyd then said that taking into consideration that the Interchange zone will be from 700 South down; let us go through the list of businesses marked as discussion items and see if we want to permit them in this area. The following items received a "no" vote: drug stores, motels, hardware stores, grocery stores, used car dealerships, motorcycle dealerships, ATV & marine craft dealerships, museums/art galleries, athletic clubs, amusements, convenience stores, gas stations, fast food restaurants, governmental and educational services, religious and non-profit organizations. The following items received a "yes" vote: quick service restaurants, sporting goods, toy stores, pet stores, arena, taverns and bars (only if part of or attached to a restaurant or hotel), office space/banks/professional services (will be permitted but percentage is limited and not allowed on corners or frontage).

Administrator Darrington asked if there will be any restrictions placed on the size of Big Box stores and will they be permitted. Mayor Pro Tem Boyd stated that she feels that they should only be allowed if they are placed as an anchor to a lifestyle mall and not a standalone. Council Member Wilson said that he disagrees and that we should permit them as standalone. Administrator Darrington said that he feels that we should at least entertain the idea and have discussions with them if they are interested in coming in. Planner Allen added that if the Council and the Design and Review Board agree to have these Big Box stores adhere to the architectural and landscaping which make up the design guidelines then they will look nice.

Administrator Darrington said that we will go ahead and incorporate these changes and craft an ordinance. By doing this we are creating pending legislation so that if there was a use that we have already determined that we want out then as of now we can tell an applicant that we no longer allow

that use. Administrator Darrington said that we do have one property owner who owns multiple properties in this area and there are some uses that he may have had plans for so we will need to have the full backing of the Council on this. Administrator Darrington added that we can have further discussions but ideally we need to craft something that also works for the property owners and part of what we need to share with the property owners is that we are trying to create something that is going to be long lasting and have the look or design standards that we have set for this area.

9. Presentation and discussion regarding proposed concepts for a mixed-use development at approximately 1500 West State Street

This item was removed from the agenda.

10. Discussion of items for the upcoming May 18, 2010 City Council meeting:

a. VCBO Architecture to discuss the City Council's needs for the Civic Center

Administrator Darrington said that VCBO met with all of the department heads yesterday to talk about their needs. What we want from the Council is input on how big you want the Council Chambers and are you okay to have a dual use with the Council Chambers and combine and have it also serve as a courtroom.

b. Public Hearing to consider the request of Stephen Hullinger for final plat approval for Hullinger Estates Subdivision Plat "C" vacating Hullinger Subdivision Plat "C" located at approximately 885 West 1290 North in the R1-8 (Single Family Residential) and R-R (Rural Residential) Zones (MUD HOLE NEIGHBORHOOD)

City Planner Allen said that what this property owner wants to do is move the lot line about forty nine feet south to expand the lot.

c. Public Hearing to consider the request of Reed Swenson (Triple Focus, LLC) for final plat approval for Phase II of the Mixed Commercial development called Majestic Meadows Commercial Condominiums Plat "B" located at approximately 590 West State Street in the C-G (General Commercial) Zone (SAM WHITE'S LANE NEIGHBORHOOD)

City Planner Allen explained that this is Phase II of this condominium development and it is almost completed, they are going to match Building A with Building B and construct another building (Building H) which will be occupied by a chiropractic business.

Council Member Wilson asked where on State Street this is located. Planner Allen said that it is just north of the rodeo grounds.

- d. **To consider the request of Gregg Colton for approval to amend Lilac Subdivision Plat “A” specifically adjusting the boundary line between Lots 1 & 2; located at approximately 1070 West 2674 North in the R-R (Rural Residential) Zone (MANILA NEIGHBORHOOD)**

City Planner Allen said that this is another amended subdivision and they want to move the lot line further north and straighten it out. We are requiring them to amend the plat because we want a clean recording of the new lot line.

- e. **To consider a Resolution (2010-035) authorizing the Mayor to sign an amended agreement with Allied Waste regarding recycling services, making technical corrections to the original agreement. No substantive changes in pricing or delivery are involved (CITY WIDE IMPACT)**

Attorney Petersen said that this is a very minor modification to the existing agreement, we approved the agreement and then Mr. Raymond got some late comments back from his legal department. This amendment changes a little of the wording, it doesn't change anything substantive it's just to appease their legal department.

Council Member Jensen asked if there were any consequences of these changes. Attorney Petersen said there are no consequences, there is no change in pricing or delivery responsibility or the service contract, they just wanted to make sure that liability and indemnification are clear.

- f. **To consider a Resolution (2010-036) authorizing the Leisure Services Department Director to submit an application for the 2010 Utah County Community Activities Fund Grant for the installation of playground equipment in the City's Mahogany Park (MUD HOLE NEIGHBORHOOD)**

Administrator Darrington said that this item grants approval to submit the grant application for the equipment for Mahogany Park.

PLEASANT GROVE REDEVELOPMENT AGENCY

1. **To consider for adoption a Parameters Resolution (2010-037) of the Board of Directors of the Redevelopment Agency of Pleasant Grove City, Utah authorizing the issuance and sale of not more than Twenty One Million Dollars (\$21,000,000) aggregate principal amount of its tax increment and revenue refunding Bonds, Series 2010; fixing the maximum number of years over which the Bonds may mature, the maximum interest rate which the Bonds may bear, and the maximum discount from par at which the Bonds may be sold. Providing for the publication notice of Bonds to be issued. Providing for running of a contest period; and related matters (CITY WIDE IMPACT)**

Administrator Darrington said that this is the resolution for us to refinance the bonds on the Hammons hotel project.

11. Mayor, City Council and Staff Business

- Council Member Danklef reported that he will not be here for next week's meeting.
- Council Member Jensen asked if there was any attendance count for the Strawberry Days events.

Administrator Darrington said that he does not have any numbers right now but on July 21st he will be meeting with the Strawberry Days Committee, the Rodeo Committee and the City staff that are involved to talk about the different roles and responsibilities and what the expectations are. Administrator Darrington said that we don't want to run or take over Strawberry Days but we do need to have better communication.

12. Executive Session to discuss the purchase, exchange, or lease or sale of real property (UCA 52-4-205(1)(d) & (e))

This item was removed from the agenda.

The Mayor Pro Tem and Council signed the Gebhardt Hollow Subdivision Plat.

ACTION: At 8:35 p.m. Council Member Wilson moved to adjourn the meeting. Council Member Jensen seconded and the motion passed unanimously with Council Members Danklef, Jensen, and Wilson voting "Aye."

13. Adjourn

Meeting adjourned at 8:35 p.m.

This certifies that the Work Session Minutes of June 29, 2010 are a true, full and correct copy as approved by the City Council on July 20, 2010

Colleen A Mulvey, Deputy City Recorder

(Exhibits are in the Work Session Minutes binders in the Recorder's office)