

**Pleasant Grove City Council Minutes**  
**February 6, 2008**  
**7:00 p.m.**

**PRESENT:**

Mayor:

Mike W. Daniels

City Council Members: Excused:

Cindy Boyd

Bruce Call

Jeffrey D. Wilson

Mark K. Atwood

Lee G. Jensen

Deputy Recorder:

Mary Burgin

Others:

Frank Mills, City Administrator

Gary Clay, Finance Director

Deon Giles, Leisure Services Director

Lynn Walker, Public Works Director

Marc Sanderson, Fire Chief

Ken Young, Comm. Dev. Director

Degen Lewis, City Engineer

Richard Bradford, Economic Development Director

Karen Bezzant, City Treasurer

Libby Flegal, Neighborhood Chair

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

---

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

**1. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Scout Connor Petty.

**2. OPENING REMARKS**

The Opening Remarks were given by Treasurer Bezzant.

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

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

**ACTION:** Council Member Jensen moved to approve the meeting's agenda. Council Member Wilson seconded and the motion passed unanimously with Council Members Boyd, Wilson, Atwood and Jensen voting, "Aye."

**4. CONSENT AGENDA** (Consent items are only those which have been discussed beforehand, are non-controversial and do not require further discussion):

**MINUTE REVIEW AND APPROVAL:**

1. City Council Minutes for January 22, 2008
2. Work Session Minutes for January 29, 2008
3. To consider approval of Change Order No. Two and Partial Payment No. Seven to HDX LC, a Dunn Company, for the Pressure Irrigation System Schedule 6 Project.
4. To consider approval of paid vouchers (Jan. 25, 2008)

Mayor Daniels read the Consent Agenda. He asked if there were any comments from the Council. There were none. He then asked for a motion.

**ACTION:** Council Member Wilson moved to approve the consent items. Council Member Boyd seconded and the motion passed unanimously with Council Member Boyd, Wilson, Atwood and Jensen voting, "Aye."

## **5. OPEN SESSION**

Mayor Daniels asked if there was anyone who wanted to come forward in an open session format. He asked if they would state their name and address and noted that they needed to limit their comments to two minutes or less. No one came forward.

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

Chair Libby Flegal said she didn't have anything to report.

## **7. LIBRARY BOARD REPORT**

There was no report.

## **8. BUSINESS**

### **A. TO PROCLAIM FEBRUARY AS, "WHITE RIBBON AGAINST PORNOGRAPHY MONTH."**

Mayor Daniels read the Proclamation to the Council. He then acknowledged the representative from the group, "Communities for Decency," Mr. William Wallis.

**ACTION:** Council Member Jensen moved to approve the adoption of The Proclamation of February, 2008 as "White Ribbon Against Pornography Month." Council Member Atwood seconded and the motion passed unanimously with Council Member Boyd, Wilson, Atwood and Jensen voting, "Aye."

### **B. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING SECTION 10-9B-7, "YARD REQUIREMENTS," AND 10-9B-9, "BUILDING HEIGHT," OF THE R1/SINGLE-FAMILY RESIDENTIAL ZONES, OF THE PLEASANT GROVE CITY MUNICIPAL CODE, REGARDING AMENDING HEIGHT AND SETBACK REQUIREMENTS. CITY WIDE IMPACT**

Director Young indicated to the Council that due to scheduling problems, this item had not yet been acted upon by the Planning Commission; and therefore could not be acted upon as yet by the Council. He said that it needed to be continued to a date certain (the next Council meeting on February 19, 2008).

Mayor Daniels then asked for a motion.

**ACTION:** Council Member Atwood moved to approve the continuation of an ordinance amending section 10-9B-7, "Yard Requirements," and 10-9B-9, "Building Height," of the R1-Single-Family Residential zones, of the Pleasant Grove City Municipal Code, regarding height and setback requirements to the date certain of February 19, 2008. Council Member Wilson seconded and the motion passed unanimously with Council Members Boyd, Atwood, Jensen and Wilson voting, "Aye."

**C. PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING SECTIONS 10-14-11, 10-14-12, AND 10-14-27-2 REGARDING MIXED USE AND MULTIPLE FAMILY RESIDENTIAL DEVELOPMENTS IN THE GROVE MIXED USE SUBDISTRICT IN THE GROVE ZONE. SAM WHITE'S LANE NEIGHBORHOOD**

Mayor Daniels read this item. Director Young then explained that this item was to consider amending sections 10-14-11, 10-14-12 and 10-14-27-2 regarding mixed use and multiple family residential developments in The Grove Mixed Use Sub-district in The Grove Zone. He explained that the applicant is Pleasant Grove City.

Last year, in April of 2007, the City Council and Planning Commission met in a joint work session to review the housing provisions of the Grove Zone Mixed Use Sub-district. Several recommendations were made, and staff was directed to prepare amendments to the existing code. The intent of these amendments is to promote the desired density and housing types for continued development in the Grove Zone Mixed Use Sub-district areas.

The proposed changes meet the intent of The General Plan goals and objectives. He then explained that there are proposed code amendments, including; 1. Permitted residential developments include: a. Single-family, attached or detached, including small lots, courtyard homes, and twin homes. b. Multi-family developments, including town homes, large homes, grand houses, and above commercial units; 2. Maximum density lowered to 12 units per acre for units not above commercial and 24 units per acre for units located above commercial development; 3. Maximum height for developments with residential above commercial is 5 stories, or 65'; 4. Requirement of a minimum 5 acres for a master planned site. He also said that developments master planned for at least 20 acres are eligible for a 10% density bonus.

Director Young then showed pictures of the proposed units. He said that corresponding pictures were in the Council's packets. He showed such suggestions such as town homes as well as grand homes. Also, units with commercial businesses on the ground floor would be proposed. He said the village-type atmosphere is what he is encouraging developers to go towards, as the Council had said that was what they would like to see in that area.

He then showed a map that identified the varying areas of the Grove. He explained that there is currently about 100 acres left of ground in the Mixed Use Sub-district. He showed that the acreage was not all contiguous.

Council Member Boyd asked if most of the proposed types of development in this area were, “alley fed?” By this she meant she wondered if most of the garages, etc, were behind the developments. Director Young said yes, these developments would have parking behind. She then asked if the term “town home” referred to a dwelling that had a common wall. Director Young said yes, town homes generally do have a common wall.

Council Member Jensen then said that going back the two years he has served on the Council, he has heard at least 80% of the residents complain about multi-family housing. He said this kind of, “stack housing,” seems to be offensive to residents. He noted that this seemed to be new talk about density, and he feels residents would ask the Council to stop with the multi-family housing in the City. Also, he asked about the past “moratorium” that was briefly put on the further development in that area. He said he was opposed to even one more building of that type.

Mayor Daniels asked about details of the last discussion the Council had gone through with Director Young. He said that they had gone down the list of proposed varied multi-family housing. He also said the Council had asked him to please add town homes as well as grand houses. Director Young noted that the Council at that time specifically said they did not want anymore apartments in that area.

Council Member Atwood indicated that he remembered that there were numbers suggested in regard to the commercial element of the developments. Director Young said the Council had approved a new ordinance that eliminated the set percentage of commercial in new development in The Grove.

Council Member Jensen observed that with costs of property and building going up, he realizes that in many cases, this is the most economical way to develop.

Director Young explained that there are many ways to develop property. However, he said that this area has been planned for this kind of use for a long time.

Council Member Boyd said that in her mind, what she remembered on 2000 West was mixed use. She said the Council agreed they didn’t want that area to look like State Street. Director Young explained that the 2000 West corridor has always been planned for commercial. Council Member Atwood said that he remembered that there some definite set backs that were to be required along 2000 West.

Mayor Daniels said that perhaps there has been too much time between the last discussion and the current discussion. He said he remembered that the Council had told Director Young to come back with a comprehensive plan for that area. He asked if it would help if Director Young gave a little more information to remind the Council of what had been discussed at the April, 2007 meeting. Council Member Boyd said it would really help her, so Director Young briefly reminded them of what they had asked him and his staff to do.

Council Member Jensen asked if an immediate decision had to be made on this ordinance. Director Young said that one project is already in the works. He said he had prepared other developers in that area that had come in of what was being proposed. He noted that it was time sensitive to those in the process of developing in that area.

Council Member Atwood asked if the density would change. Director Young said that only the look of the buildings would change—but that the density would stay the same.

Mayor Daniels said that he remembers that the Council said that they did not care for a continuation of the design of the multi-family housing that was being built. He said the Council asked for alternative ways to make these area more attractive and less “apartment” looking. He noted that staff has now come back with the current recommendations that the Council was now seeing.

After further discussion, Council Member Boyd noted that her own “heartburn” with the current discussion was that the 100 acres in this zone was not contiguous. She said the proposed theme or idea that Director Young had presented would not provide connectivity with the properties spread out and dotting the map thither and yon. She then asked if the “live, work and play” type of development would be close to the pictures in the R/UDAT booklet. Director Young said yes, developments could certainly take that kind of design and use it.

Mayor Daniels said he also remembered that there needed to be mixed uses such as the Mayfield development was incorporating with a school and a park. Director Young said yes, civic uses were encouraged, if possible.

The Mayor said that if the Council really wanted to delay the approval of this ordinance, they could. Council Member Wilson said he would be concerned that if this ordinance was delayed, more of what is in that area would continue to be built. He said he would favor the new designs that had been presented.

Council Member Jensen said he had another question. He asked how the garages and structures could be used as a “fence” for a development, as stated in the ordinance. Mayor Daniels said that came about when there were long areas between properties that ended up being weed patches. It was determined by the Council that if the back walls of garages, etc, were used as the property lines, there wouldn’t be the same problem of empty space.

Mayor Daniels then opened the discussion to a public hearing. He asked anyone that wanted to come up and give their name and address.

Mr. Pete Blake from 29 South and 2000 West came forward. He asked Council Member Jensen if those that he had spoken to about the multi-family housing were in single family homes. Council Member Jensen said yes, those that had complained to him were primarily from areas of the City that had single family homes.

Mr. Blake then explained that he believes that there are many people that live in The Grove area that love being in multi-family home developments. He said that young families, by purchasing units, have an opportunity to own their own place. Additionally, he explained that many “empty nesters” love the fact that they no longer have large yards to take care of. He described the area

as a “happy place” that residents are in. He explained that they are looking forward to the growth in that area; including both housing and commercial coming in. He said they look forward to, “a more vibrant neighborhood than the down town area!” After the Planning Commission meeting at the Jr. High, he said he could tell that residents of The Grove are really looking forward to new restaurants, entertainment and other amenities coming into that area.

He said he would also like to address the fact that people keep saying that more crime comes in with multi-family housing. He said that there are non-owner occupied housing in that area, but the majority is owner-occupied. He then thanked the Council for their time.

Mr. Mathew Hallstrom from Pleasant Grove then came forward. He said he was wondering if there are any studies that show that cities need to have some kind of requirements on multi-family housing that has them update their properties over the years.

Mayor Daniels said that there would really be no way to require upkeep (other than what code enforcement requires) of multi-family housing. He said there are areas in The City that are run down. The Mayor said that Code Enforcement work hard to have these people keep their weeds down, and cars off the streets, etc, but it is a difficult job.

The Mayor said he did appreciate Mr. Blake’s comments about the fact that residents will need to eventually realize that there are different ways of living for everyone. He said this includes multi-family housing. The Mayor also identified Mr. Blake as a Planning Commissioner for the City. Mayor Daniels said that residents need to get away from the concept that there is only one way to live, one religion, one age group, etc. He explained that there are different people with different preference—and that is okay. He then said that if people are so opposed to how property adjacent to theirs is being developed, they need to purchase that land themselves. The Mayor said he is concerned about discussions he hears of “us and them,” or the multi-family vs. the single family people in town. He said that a good percentage of Pleasant Grove residents now live in The Grove area. He noted that these are not passive people, but are people of action.

Mr. Herb Carlson from 600 East 615 North then came forward. He said that he didn’t want his upcoming comments to hurt anyone’s feelings, but he felt that the property owners had a right to build the way they thought best. Also, those that bought from the developers also had a right to expect that rights were enforced for the property owners. He then asked what would stop those that purchased condos and town homes from renting out rooms in those units.

Mayor Daniels said that the condos vs. apartments were such that condos had to be owner occupied. However, he said enforcing that is as difficult as it is enforcing those with single family homes that rent out their basements. He noted that local citizens need to help enforce such ordinances.

Director Young then said the Homeowner’s Associations (HOA) work to keep the properties up in their areas. He said this helps the City with enforcement.

After further discussion, Mayor Daniels thanked all of those that had come forward during the public hearing. He thanked them for their input. He then closed the public hearing.

Administrator Mills then said that the City has been noticing lately that the HOA's are really helping with the policing of the upkeep of the multi-family units. He said that the homeowners in these developments realize that everyone's upkeep affects the value of their homes. Administrator Mills then asked if the homes in Cedar Hills, just across from the elementary school and the Pleasant Grove City line were the grand homes he was suggesting. Director Young said yes, those are what are termed large or grand homes. He said they look just like a big home, but contain several units.

Council Member Atwood said he really likes the idea of a new look. He also noted he would like to see parks, etc, going in around these developments. Director Young explained that as the projects hold to the proposed concepts, the development of civic and commercial building will come forward.

Council Member Boyd asked that the Council remain in the loop with these developments. She said that if something needed to be "tweaked," the Council would be able to be involved.

Mayor Daniels asked if there were anymore comments from the Council. There were none. He then asked for a motion.

**ACTION:** Council Member Jensen moved to approve Ordinance No. 2008-3, amending Sections 10-14-11, 10-14-12, and 10-14-27-2 regarding mixed use and multiple family residential developments in the Grove Mixed Use Sub-district in The Grove Zone, based on the following findings; 1. The proposed changes meet the intent of the General Plan goals and objectives; 2. The proposed amendments meet the direction given by the City Council and the Planning Commission; 3. The proposed amendments are in the interest of the public. A public hearing was held. Council Member Boyd seconded and the motion passed unanimously with voice votes from Council Members Boyd, Atwood, Jensen and Wilson voting, "Aye."

Mayor Daniels then thanked staff for all of their hard work on this ordinance. He said this was a major step forward in being able to sit down with developers and have this kind of clarification to work with.

**D. TO CONSIDER THE ADOPTION OF A RESOLUTION AMENDING FEES CHARGED BY COMMUNITY DEVELOPMENT DEPARTMENT BY CHANGING THE CONDITIONAL USE PERMIT FEE FROM \$200.00 TO \$150.00.**

Director Young explained that this item was basically a housekeeping item. He said that in working with Mrs. Carol Emery in the business licensing department, it was determined there was a discrepancy in the fees for the conditional use permit. He said this will make sure that the same fee is charged across the board for the permit so the fees are equitable.

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

**ACTION:** Council Member Wilson moved to approve the adoption of Resolution No. 2008-05, amending fees charged by Community Development Department by changing the Conditional Use Permit fee from \$200.00 to \$150.00. Council Member Jensen seconded and the motion

passed unanimously with voice votes from Council Members Boyd, Wilson, Atwood, and Jensen voting, "Aye."

## **9. STAFF BUSINESS**

- Director Bradford reminded everyone that there would be a PGBA meeting on the upcoming Friday, February 8, 2008 at 12 noon in the basement at the library. He said a marketing manager from the local business, "Close To My Heart," would be speaking on marketing businesses.
- Chief Sanderson said that the old fire engine, Old Joe, would be used on Thursday for the funeral of Mr. Calvin Mills. He said Mr. Mills had served with the fire department for over 40 years. He said Mr. Mills also served as the Fire Chief during those years. He said the fire department would act as an honor guard for the funeral.
- Director Young announced that Community Development was in the process of working with the Hammons' group on plans that had been submitted. He said that only part of the plans have been submitted, so far. Additionally, he noted that contractors are starting to move into place with the project.
- Administrator Mills mentioned that the snow removal has had many compliments this year. He said residents have noted that other communities do not remove the snow from residential as well as main arterials, as Pleasant Grove does. Director Clay agreed and said that as he travels to other communities, he doesn't see the snow removed from residential roads like Pleasant Grove crews have done over the years.

## **10. MAYOR AND COUNCIL BUSINESS**

Mayor Daniels mentioned that he and staff had a very good meeting with some of the residents of the downtown neighborhood and their attorney. He said the attorney agreed with 99% of what the City presented to them. He noted that they want to be involved in working on a master plan.

Next, the Mayor said that himself, the Council and some staff had met together to discuss the visioning that they had seen when it came to that area of the City. He said concerns about the downtown were one of the foremost areas they would like to see explored. He also explained that a cross-functional advisory board would be formed regarding the development of the downtown.

## **11. SIGNING OF PLATS**

There were no plats to be signed.

## **12. REVIEW CALENDAR**

- Mayor Daniels noted that he would be out of town from the upcoming Saturday, February 9, 2008 until Thursday, February 14, 2008. He reminded Council Member Jensen, the new Mayor Pro Tem, that he would be in charge until the Mayor's return.

### 13. APPROVE PURCHASE ORDERS

Council Member Wilson asked about the police department expense for “car digital videos.” Director Clay said that was for the replacement of dash cameras.

Council Member Jensen asked about the expenditure for Sundance for \$21,000. Director Giles said it was for Ski School for the Recreation Department patrons.

**ACTION:** Council Member Jensen moved to approve the purchase orders. Council Member Atwood seconded and the motion passed unanimously with voice votes from Council Members Boyd, Wilson, Atwood, and Jensen voting, “Aye.”

**14. ADJOURN:** At 8:21 p.m. Council Member Wilson moved to adjourn the meeting. Council Member Jensen seconded and the motion passed unanimously with Council Members Boyd, Atwood, Jensen and Wilson voting, “Aye.”

This certifies that the City Council  
Minutes of February 6, 2008 are  
a true, full and correct copy as approved  
by the City Council on February 19, 2008.

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