

Pleasant Grove City Council Minutes
April 2, 2013
6:00 p.m.

PRESENT:

Mayor:

Bruce W. Call

Council Members:

Cindy Boyd

Lee G. Jensen

Jay Meacham

Kim Robinson

Excused:

Cyd LeMone, Council Member

Degen Lewis, City Engineer

Staff Present:

Scott Darrington, City Administrator

Dean Lundell, Finance Director

Tina Petersen, City Attorney

April Harrison, Arts and Culture Director

David Larson, Assistant to the City Admin

Ken Young, Community Development Director

Deon Giles, Leisure Services Director

Kathy Kresser, City Recorder

Dave Thomas, Deputy Fire Chief

Mike Roberts, Police Lt.

Lynn Walker, Public Works Director

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

Mayor Call called the meeting to order and noted that Council Members Boyd, Jensen, Meacham, and Robinson were present.

2) PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Boy Scout Aaron Taylor.

3) OPENING REMARKS

Opening Remarks were given by Council Member, Kim Robinson.

4) APPROVAL OF MEETING'S AGENDA

City Administrator, Scott Darrington, stated that item "N" under "Business" was discussed at a previous meeting and would not be on the agenda.

ACTION: Council Member Robinson moved to approve the meeting agenda. Council Member

Meacham seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting “Aye.”

5) **CONSENT ITEMS**

- a) **City Council and Work Session Minutes:
City Council Minutes from February 19, 2013
City Council Minutes from March 5, 2013
City Council Work Session Minutes from March 12, 2013**
- b) **To consider for approval paid vouchers for (March 21, 2013)**

ACTION: Council Member Jensen moved to approve the consent items. Council Member Meacham seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting “Aye.”

6) **OPEN SESSION**

Mr. Fred Newman gave his address as 535 East 200 North and thanked Lynn Walker, Deon Giles, and their snow removal crews for doing a wonderful job throughout the winter. He reported that many homes did not remove their snow. Many corner lot homes would shovel the front of the house but not the side. He questioned whether the ordinance required residents to only shovel the front of their homes. Mayor Call stated that the ordinance does require residents to remove snow from the front and side of their homes and that they would work on educating residents about the ordinance requirements.

Mr. Newman stated he had also seen problems with apartment buildings and offices on State Street that had not adequately removed their snow. He stated that he went to the Pleasant Grove Police Department and obtained the GRAMA report, and asked if there had been any citations issued for snow removal. The police report indicated that there had not been any citations issued. Mr. Newman questioned why the police department had not issued citations for the lack of snow removal. Mayor Call stated that the City had an over worked police force. Mr. Newman was upset that people could not walk safely down the streets and sidewalks. Mayor Call thanked Mr. Newman for bringing this issue to the Council’s attention and stated that they would make an effort to educate residents and businesses about proper snow removal.

Mr. Newman commented that he hikes along the aqueduct road and there is a sign posted specifying that motorized vehicles are not allowed. He stated that at 6:00 p.m. each night he sees motorcycles and four wheelers. He has informed the riders that it is illegal to be on the road and all said they were not aware. Mayor Call requested that Mr. Newman call the police when he sees motorized vehicles on the road. Mr. Newman remarked that he did not want to get law enforcement involved.

Mr. Newman stated that there is a large white rock in the place of a sidewalk near the Maverik that is a hazard. He suggested UDOT take care of it quickly.

There were no other members of the public wishing to speak. Mayor Call closed the Open Session.

7) **BUSINESS**

A) **INTRODUCTION OF NEW EMPLOYEES**

Utility Receptionist, Lana Hill, was introduced by City Recorder, Kathy Kresser. Recorder Kresser stated that Lana is wonderful with customers and interested in everything going on in the City. Receptionist Hill stated that she is currently working at City Hall, and prior to that she worked at the library as a Clerk. She enjoys learning about the City and her position.

Public Works Director, Lynn Walker introduced Water Operator, Shad Carson. Director Walker stated that Operator Carson was selected from a group of 37 applicants. Operator Carson stated that he was born and raised in American Fork, but currently lives in Pleasant Grove. He reported that he did the majority of the utilities on the Murdock Canal.

Parks and Recreation Director Deon Giles introduced Recreation Manager, Clint Warnick. Director Giles stated that Manager Warnick worked for Daybreak previously, and recently began working for the City. Manager Warnick stated that he worked for South Jordan City for the previous eight years. The last five years was spent managing Daybreak's recreational facilities. He remarked that this is his dream job and he is excited to be in Pleasant Grove.

Mayor Call welcomed the new employees and stressed that City employees are valued.

B) **TO CONSIDER FOR ADOPTION A RESOLUTION (2013-08) INDICATING THE INTENT OF THE CITY COUNCIL OF PLEASANT GROVE, UTAH, TO ADJUST THE COMMON BOUNDARY WITH THE CITY OF CEDAR HILLS, UTAH; AUTHORIZING A PUBLIC HEARING THEREON AND PROVIDING FOR NOTICE OF SAID HEARING. APPLICANT: TRACY AND ALYSSA FLINDERS, 9758 NORTH 4100 WEST, CEDAR HILLS, UTAH. PRESENTER: ATTORNEY PETERSEN**

City Attorney, Tina Petersen, stated that the resolution is at the request of Tracy and Alyssa Flinders. The property boundary was adjusted into Cedar Hills a few years ago in order for Mr. Flinders to build his home. Mr. Flinders has excess property he would now like to develop. Due to the way the infrastructure is laid out it would be better for his entire property boundary to be adjusted back into Pleasant Grove. Attorney Petersen stated that Cedar Hills is agreeable to this change. If the Council approves the resolution they would need to set the public hearing date as June 4th. State law requires a 60-day waiting period between approval of the resolution and the public hearing in order to allow all parties to research questions they may have. Cedar Hills is considering this same resolution in their Council Meeting scheduled for May 7, 2013.

Council Member Meacham asked if the City will provide utilities to 900 West. Attorney Petersen stated that that is currently the plan but it has not been finalized. She stated that final plans will come to the Council when Mr. Flinders is ready to develop.

ACTION: Council Member Jensen moved to adopt Resolution 2013-08, with a public hearing date of June 4, 2013. Council Member Robinson seconded the motion.

Council Member Meacham identified a typo in Section 1 stating that the transfer is from Pleasant

Grove to Cedar Hills, which is incorrect. The transfer will be from Cedar Hills to Pleasant Grove.

Council Member Jensen amended the motion.

ACTION: Council Member Jensen moved to adopt Resolution 2013-08 indicating the intent of the City Council of Pleasant Grove, Utah, to adjust the common boundary with the City of Cedar Hills, Utah; authorizing a public hearing thereon and providing for notice of said hearing. Applicant: Tracy and Alyssa Flinders, 9758 North 4100 West, Cedar Hills, Utah., with the understanding that the property will be transferred from Cedar Hills to Pleasant Grove and a public hearing date of June 4, 2013. Council Member Robinson seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting “Aye.”

- C) **PUBLIC HEARING TO RECEIVE COMMENT ON THE PARAMETERS RESOLUTION (2013-06) AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$6,200,000 AGGREGATE PRINCIPAL AMOUNT OF THE STORM DRAIN REVENUE BONDS, SERIES 2013; FIXING THE AGGREGATE PRINCIPAL AMOUNT OF THE BONDS; 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; AUTHORIZING THE EXECUTION BY THE ISSUER OF A SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; APPROVING AN OFFICIAL STATEMENT (IF REQUIRED); AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE. PRESENTER: ADMINISTRATOR DARRINGTON**

Administrator Darrington stated that the City has been working to purchase the Pipe Plant Property, which is roughly 40 acres. The City would use the property for future storm drain detention as well the expansion of the cemetery. He stated that item “D” will review the agreement with the property owners, Barnard PG, LLC. In order to purchase the property the City will issue storm drain bonds in the amount of \$5.5 million. Administrator Darrington stated that he met with the Rating Agencies and should be receiving their ratings by the beginning of the following week, which will help determine the interest rate the City will receive. State law requires a public hearing be held. Administrator Darrington clarified that the public hearing will pertain only to the issuance of the bonds.

Mayor Call asked what the action for the item will be. Administrator Darrington stated that there is no action on this particular item because the parameters resolution has already been completed.

Council Member Jensen asked what the maximum interest would be. Director Lundell stated

that 5.5% would be the maximum possible interest, but he believed it would be much lower than that. He stated that the City met with Fitch two years ago when purchasing storm water bonds and the City received ratings of AA- and A+. He anticipated upgrading the ratings from there which will allow for an interest rate better than 4%. The interest rate is good for 25 years. Administrator Darrington stated that the payment of the bonds has already been rolled into the rate increases over the last four years.

Mayor Call opened the public hearing.

Mr. Ben Stanley gave his address as 1700 Blackhawk Circle. He has a distaste for debt, and did not think the project was worthy of the high cost involved. While he knows storm drain retention and cemetery growth are legitimate needs, he felt there were higher priorities. He stated that road conditions and economic development ought to take a higher priority. He also hoped to hear more details regarding the competing offer that is set on price.

Mayor Call stated that the funds tied to the project cannot be used on other projects. Council Member Boyd added that thinking ahead is important, and that the City planned and discussed the matter in great detail four years ago and made a plan that would not put the City in additional and unnecessary debt.

Council Member Robinson stated that during the rate studies, storm drain issues kept arising. This piece of property came available and allowed the City to act while thinking of the future. Administrator Darrington stated that this piece of property is strategic to the City's storm drain plan. They do not need the detention today, but will definitely need it in the future. If the property owners sold to a housing development, the City would have a much more difficult time obtaining the property. Purchasing the property will prevent the City from having to give up great commercial properties in the Grove in order to store water there.

Council Member Jensen stated that there was discussion on this property more than two years ago. It was not possible to purchase at that time, and the City had been waiting for the correct time to move forward. Council Member Boyd stated that it may be beneficial to have a summary for the City residents either posted online or in the newsletter in order to keep the public aware of what is going on. Administrator Darrington stated it would not be a problem to post that sort of communication and would begin doing so.

Mayor Call closed the public hearing. No action was taken.

- D) TO CONSIDER FOR ADOPTION A RESOLUTION (2013-09) AUTHORIZING THE MAYOR TO SIGN A PURCHASE AGREEMENT WITH BARNARD PG, LLC FOR APPROXIMATELY 40 ACRES OF PROPERTY LOCATED GENERALLY AT 600 WEST AND 800 NORTH IN PLEASANT GROVE, UTAH COUNTY, UTAH FOR THE PURPOSE OF PROVIDING STORM DRAIN DETENTION, CEMETERY EXPANSION AND GREEN SPACE FOR THE CITY'S PRESENT AND FUTURE NEEDS; AND PROVIDING FOR AN EFFECTIVE DATE. (MUD HOLE NEIGHBORHOOD) PRESENTER: ADMINISTRATOR DARRINGTON**

Administrator Darrington stated that a pipe plant is shutting down and he and Mayor Call met with the owners of the property to discuss ideas about how to develop it. Their original idea was to sell the property to a housing development. They informed the owners of the City's intent to purchase the property. Administrator Darrington indicated that he worked with the owner of the property to discern the fair market value. The assessed valuation gives a map of general price, but is not necessarily the fair market value.

Administrator Darrington stated that the property owner had been receiving bids from housing developers who want to purchase the property. The City informed the property owners that if they would provide a bona fide bid from one of the housing developers they would accept that price as the fair market value. The property owners provided the City with a bona fide bid, which was how the City negotiated the price of the property.

Administrator Darrington stated that some of the bond proceeds will include funds to clean up the property. The property will not become a storm drain basin for a while, so the City will clean up the property and keep it graded. The company that owns the property has requested a separate lease agreement that allows them to store some of their items on a piece of the five-acre property for three to five years. That will be a separate agreement that will come before the Council later in the month. Attorney Petersen stated that the property owners will be responsible to pay for the environmental assessment, so that will not be an added cost to the City.

Mayor Call asked Mr. Stanley if his questions were answered after listening to the discussion. Mr. Stanley reported that he would like to understand specifically how the City dealt with the bona fide offer. Administrator Darrington stated that the owners emailed a copy of the bid signed by the housing company. He stated that the City signed a confidentiality agreement stating that they would not reveal who the housing company was. He did, however, state that it is a well known and reputable nationwide homebuilder.

Council Member Jensen believed that future Councils will be grateful for the foresight that this Council has shown. He stated that the Council has put a great deal of thought and energy into this decision.

ACTION: Council Member Boyd moved to adopt Resolution 2013-09 authorizing the Mayor to sign a Purchase Agreement with Barnard PG, LLC for approximately 40 acres of property located generally at 600 West and 800 North in Pleasant Grove, Utah County, Utah for the purpose of providing storm drain detention, cemetery expansion and green space for the City's present and future needs; and providing for an effective date. Council Member Jensen seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting "Aye."

Council Member Jensen stated that he discussed with Mayor Call the possibility of sending a letter to the property owners to consider donating the land to Pleasant Grove in the chance that the property was more valuable as a tax write off. Council Member Jensen stated this to let the public know that they left no stone unturned in this process.

E) **PUBLIC HEARING TO CONSIDER APPROVAL OF THE COMMERCIAL SITE PLAN FOR THE DOTERRA INTERNATIONAL GLOBAL CAMPUS LOCATED APPROX. AT THE SOUTHEAST**

CORNER OF PG BLVD AND 1300 WEST IN GROVE ZONE. (SAM WHITE'S LANE NEIGHBORHOOD) PRESENTER: DIRECTOR YOUNG

Director Young reported that doTERRA is a significant part of the City's economic growth, particularly in the Grove area. The site plan has gone through the review process and has been reviewed by staff, the Design Review Board, and the Planning Commission and is now before the City Council. The site plan is in the Grove area and includes a 24-acre piece off of Pleasant Grove Boulevard. The property was recently rezoned to the Commercial Sales Sub-District and the Grove Business Park Overlay was applied to this property, as well as other surrounding properties.

The site plan does not include the wetland area, which will be developed as part of the second phase. There will be four buildings that will all be connected and face in a southwest direction with a view of the mountains. The parking is along the front.

There are three conditions as part of the site plan. Two of the conditions have already been approved by ordinance by the Planning Commission. Both of those items pertained to landscaping. There are trees planted along the planter strip adjacent to a five-foot sidewalk on the boulevard. The ordinance provides that the trees be on the back of the sidewalk. Due to the lay of the land it was not practical to have the trees in the usual place. After review it was agreed that the trees be closer to the sidewalk than to the street. This only occurs along Pleasant Grove Boulevard. The second modification approved by the Planning Commission was in the parking lot, allowing for doTERRA to have a smaller circle island than the typically required larger landscaped island. doTERRA requested the smaller island in order to make snow removal easier, as well as provide more parking stalls.

Director Young stated that the third and final condition is regarding the Garden Architectural Theme District. In this district the emphasis is on red brick, glass, and metal features. The metal features and glass are well represented in this building. doTERRA is requesting to use a sandstone veneer rather than the red brick. Director Young stated that on a building of this size staff agrees that the sandstone veneer will have a more pleasing aesthetic appearance than red brick. Director Young stated that the Design Review Board and Planning Commission have also agreed with the request.

Director Young stated that due to ordinance requirements 14 bike racks need to be added to the site plan as well as a dumpster utility building. He stated that staff has no concerns with the site plan. He stated that doTERRA has planned well to allow for expansion in the future.

Mayor Call invited the applicant, Mr. Phil Hatterly, to show the Council the sandstone veneer they plan to use. Mr. Hatterly stated doTERRA is excited about the project and they are happy to work with the City and meet their requirements and needs. He stated that they will be using a local sandstone that comes from Heber or Southern Utah. The sandstone will allow the building to have larger scale blocks, which works better for a four-story elevation. He stated that they are not set on a color, but will try to find a cost effective stone. They have metal paneling and green hued glass and will be a nice project that will bring many jobs to Pleasant Grove.

Council Member Robinson asked Mr. Hatterly if the top of the building is open. He stated that it is an open roof, but it is used to hide equipment and make the building look nice, but is not open

for picnics or other events.

Mayor Call closed the public hearing.

Council Member Jensen asked if there was anything in the ordinance with regard to trees hanging over onto sidewalks that would require the landowner to maintain the trees. Director Young stated that the trees that are planted must be fast growing. Council Member Jensen inquired as to whether the parking lot is lit and if there is anything in the ordinance that gives direction about the style of the poles and lighting. Director Young stated that the lighting must match the architectural theme of the area.

Council Member Jensen asked why so many trees have been cut down in the wetlands. Mr. Dan Turney from Jacobsen Construction, the General Contractor for the project, gave his address as 1609 East Stanley Drive in Sandy. He stated that the trees that have been cut down are not actually in the wetland and are in the footprint of the building. The wetlands begin further east. Mr. Turney stated that they would be planting many trees.

Council Member Jensen asked if guest parking was included in the 2.5 parking stall requirement. Director Young stated the 2.5 was in relation to multi-family housing. Director Young stated that the City has a parking guide that tells how many parking stalls should be applied to different types of business uses. Staff looked at the square footage of each use for doTERRA and gave them a number based on that. doTERRA has put in a few extra parking stalls than the requirement.

Council Member Robinson stated that Mr. Sterling had mentioned having a garden on the property. Director Young stated there would be a garden with primarily lavender plants, but it will also be a demonstration garden with several other items.

ACTION: Council Member Robinson moved to approve the doTERRA commercial site plan. Council Member Jensen seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting “Aye.”

F) **TO CONSIDER FOR APPROVAL THE FINAL PLAT FOR THE DOTERRA SUBDIVISION PLAT A LOCATED APPROXIMATELY AT THE SOUTHEAST CORNER OF PG BLVD AND 1300 WEST IN GROVE ZONE. (SAM WHITE’S LANE NEIGHBORHOOD) PRESENTER: DIRECTOR YOUNG**

Director Young stated that this is a basic plat. The only difference on this plat over what the existing lot allows for is the dedication and roadways on Pleasant Grove Boulevard and Proctor Lane.

Council Member Jensen asked if doTERRA is planning to fence on any portion of the property. Director Young responded that there will be no fencing.

ACTION: Council Member Boyd moved to approve the final plat for the doTERRA subdivision Plat A. Council Member Robinson seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting “Aye.”

G) **PUBLIC HEARING TO CONSIDER APPROVAL OF THE COMMERCIAL SITE PLAN FOR WAL-MART NEIGHBORHOOD MARKET LOCATED AT APPROX. 1650 WEST STATE STREET IN THE GROVE ZONE. (SAM WHITE'S LANE NEIGHBORHOOD)**
PRESENTER: DIRECTOR YOUNG

Director Young stated that Wal-Mart has provided an excellent site plan. The site covers two areas of zoning, which are the Commercial Sales Sub-District and the Mixed Housing Sub-District. The store will have access off of the new 1650 West and there will be a second access on State Street. There will be some vacant development with the hope that they will be developed soon. Director Young stated that there is plenty of parking and good landscaping. He stated that staff was pleased as they reviewed the site plan because there was very little that needed to be corrected.

Director Young stated that the Design Review Board requested that the sign permit be submitted. Wal-Mart submitted the sign and it has been approved. He stated the Design Review Board also indicated that the bike racks need to be added with at least 5% of the parking stalls, and they need to review the traffic study with acceleration and deceleration lanes at the entrance of State Street. Wal-Mart agreed to comply with the study requirements. Director Young stated that Wal-Mart must work with Somerset Meadows, the apartment complex to the South and West of the store, in order to eliminate gaps in landscaping.

Director Young stated that the store is 41,179 square feet, which is similar in size to the Smith's store in Pleasant Grove. This will be a grocery store only with a drive-through pharmacy. The architecture requirement for the Mountain District emphasizes stone and timber features, which Wal-Mart has incorporated.

Director Young stated that there will be a connection for pedestrians in the surrounding housing. The connection is a shared access parking area. Council Member Boyd asked if Somerset Meadows has access to the shopping area. Director Young responded that there is walking access.

Council Member Meacham asked how much of 1650 is being constructed as part of this project. Director Young stated that the full road is being developed to 100 South. Director Young stated Wal-Mart would like to begin construction in the summer.

There were no comments from the public. Mayor Call closed the public hearing.

ACTION: Council Member Jensen moved to approve Wal-Mart's commercial site. Council Member Robinson seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting "Aye."

H) **PUBLIC HEARING TO CONSIDER THE REVISED APPROVAL OF THE GROVE COMMONS SUBDIVISION FINAL PLAT LOCATED AT APPROX. 1650 WEST STATE STREET IN THE GROVE ZONE. (SAM WHITE'S LANE NEIGHBORHOOD)**
PRESENTER: DIRECTOR YOUNG

Director Young stated that the City has already approved a plat, which was not recorded because there were changes being made to the plat. Lot 1 has four lots currently approved, including the Wal-Mart piece. Lot 2 is the Somerset Meadows piece and Lot 3 and 4 are the Commons Town Homes. He stated that Wal-Mart is being carved out of Lot 1, so instead of being a four-lot plat it is a six-lot plat, which is what the Council will be considering for approval. Director Young stated that there will be another Commons Town Homes plat to redo that Lot. This particular plat is in regards to Wal-Mart.

There were no comments from the public. Mayor Call closed the public hearing.

ACTION: Council Member Boyd moved to approve the revision to the Grove Commons Subdivision Plat. Council Member Meacham seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting “Aye.”

I) PUBLIC HEARING TO CONSIDER APPROVAL OF THE COMMERCIAL SITE PLAN FOR HOLIDAY OIL LOCATED AT APPROX. 579 SOUTH PLEASANT GROVE BLVD. IN THE GROVE ZONE. (SAM WHITE’S LANE NEIGHBORHOOD) PRESENTER: DIRECTOR YOUNG

Director Young stated that Holiday Oil is located off of Pleasant Grove Boulevard and on the corner of sub-street 550 South and within the Grove Commercial Sales Sub-District. He stated that this site plan is for a 4,000 square-foot store with eight pumps and a car wash on the south side. There is also a detention basin on the southern end of the property.

Director Young reported that there will be landscaping along the parameter of the property along the streets. The landscaping meets the code’s landscaping requirements. One of the recommendations presented by the Planning Commission was that the trees on Pleasant Grove Boulevard be moved west of the sidewalk due to a narrow park strip and concerns about snow removal. The Planning Commission also recommended adding bike racks and installing decorative stone and drought tolerant plants in place of the trees along the park strip on the street side of the sidewalk. He stated that parking stalls need to be shown as 20 feet deep and more details of exterior light fixtures were needed. Director Young stated that these items are conditions of approval for the site plan.

Director Young stated that the store meets the requirements for the architecture theme district. They will use red brick, glass, and steel and the roof will be red. Mayor Call asked if there is a requirement for berming. Director Boyd stated that they asked McDonalds to do a berm. Director Young stated they have had concern with what happens with snow removal and salt spray, which was why drought tolerant plants were recommended. He stated that normally you look for grass on a berm, but if the Council preferred they could require it of Holiday Oil. Council Member Jensen recommended there be consistency along the Boulevard.

Holiday Oil applicant, Mr. Mike Wagstaff stated that because there is a detention pond that will go in, it will take up a large portion of the landscaping. He stated that where it is not the detention pond they would also prefer it be bermed. From the sidewalk to the road they would like to use some type of rock because it is difficult to manage. They had no problem doing a berm west of the sidewalk.

Council Member Jensen stated that Maverik provided tables allowing patrons to sit and relax and asked if Holiday Oil planned to do something similar. Mr. Wagstaff stated that they have never done tables before and it was not part of the plan.

Council Member Boyd asked who is responsible for maintaining the street lighting. Director Young stated that the City puts up and maintains the street lights. Mr. Wagstaff stated that they plan to begin work on the project as soon as they get the building permit.

There were no comments from the public. Mayor Call closed the public hearing.

ACTION: Council Member Meacham moved to approve the commercial site plan for Holiday Oil with the condition that a burm will be required on Pleasant Grove Boulevard inside the sidewalk. Council Member Robinson seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting “Aye.”

J) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2013-5) AMENDING CHAPTER 10-14, THE GROVE ZONING DISTRICT, OF THE PLEASANT GROVE CITY CODE, AMENDING VARIOUS PROVISIONS REGARDING MULTI-FAMILY HOUSING PROJECT DESIGN, HEIGHT, DENSITY, PARKING, OPEN SPACE, LANDSCAPING, DESIGN FEATURES, ETC.; AND PROVIDING FOR AN EFFECTIVE DATE. (SAM WHITE’S LANE NEIGHBORHOOD)
PRESENTER: DIRECTOR YOUNG

Director Young stated that last week he distributed a copy of the ordinances being amended for the Council’s review. Staff conducted a review and as requested, added language to restrict dealership properties with I-15 frontage to page 55 under Grove Zone Permitted Uses.

He stated that in the Downtown Mixed Use Overlay Section a definition of Senior Housing was added. The definition reads, “Senior housing attached dwellings is defined as a group of attached housing units designated for use by senior age citizens that share a common interior hallway and building entrances as well as common amenities and group areas.” Director Young stated they wanted to specify that type of senior housing versus some other open complex.

Attorney Petersen verified that the definition meets legal requirements. Director Young remarked that they defined it narrowly because they are allowed a 24-unit per acre density with the proposed type of development and did not want it to be open to other types of development. Council Member Boyd asked what qualifies as “senior aged.” She was concerned that a developer would be able to claim they are building for empty nesters or other seniors that do not fit the definition from the City’s point of view. She recommended the definition be more specific.

Attorney Petersen stated that they could tighten the definition and conduct research to establish a proposed age. Director Young stated that they tried to define by product with the interior hallway and common amenities and senior age, which restricts it to a certain type of development. The intent is to reflect the type of development that the Council recently saw a concept of. They were concerned that if they opened up the definition too much it could attract

different types of developments that would not meet the product the City is looking for, with its lower parking requirement. He explained that what is proposed is a more assisted-living friendly definition rather than a senior community.

Director Young's main concern was that they are allowing 24 units to the acre in this type of housing complex. If they allowed 24 units per acre with a more open development style, there may need to be a higher parking requirement, which is reflective of non-senior housing. This particular definition is meant to allow for less parking because this type of housing is typically intended for seniors who are less mobile. Council Member Boyd did not want the parking requirement to be abused.

Mayor Call asked if Director Young looked at any other city ordinances when crafting the senior housing definition. Director Young responded that his research consisted of talking to developers. Mayor Call asked if he would review how other cities have dealt with parking and senior housing. He remarked that it would be difficult for the City to enforce any type of age requirement, unless the HOA was willing to monitor people moving in.

Council Member Boyd stated that she would like to be more selective with number 55 on the I-15 frontage regarding car dealerships. She hoped to see maps of where the dealerships are allowed. Administrator Darrington, stated that language could be added to include frontage northwest of Pleasant Grove Boulevard and a map.

Council Member Boyd asked if the downtown housing is currently owner occupied. Director Young responded that it currently calls for it to be 80% owner occupied. There may be a conflict with the senior housing they were just discussing, because it is not intended to be built as owner occupied and there may need to be some revisions to allow for the senior housing component.

Director Young stated that staff reviewed the Lindstrom study. The verbiage stated "Condominium ownership: 80% involved mixed-use multi-family residential units shall be built to be sold as individually owned condominiums." Director Young stated that they are adding mixed-use multi-family and they have a definition of mixed-use, which is not the same as senior housing.

Mayor Call clarified that the proposed ordinance is not ready to be voted on, but the Council should identify any additional concerns for staff to look into. Council Member Jensen identified a typo in Ordinance 14, Section B. He also stated that in regard to the approval process there should be verbiage to explain the Board of Adjustments.

Attorney Petersen clarified that the Board of Adjustments is not part of the approval process and are an appellate board. In the normal approval process through the Community Development Department, the Board of Adjustment is not involved unless a waiver, variance, or non-conforming use grant are needed. Depending on the action, the applicant will either come to the City Council as an appeal body, or the Board of Adjustments as an appeal body.

Council Member Meacham referenced page 27 and indicated that there is a definition of roadways and examples but the list did not seem to be complete. He suggested listing all of examples or specify that the list includes some examples, but not all. Director Young explained that the examples listed are only in the Grove Zone. Mayor Call asked if it is a comprehensive

list of these types of roads in the Grove Zone, or material examples. Director Young responded that it is a comprehensive list.

Council Member Jensen questioned the use of points and bonus points in regard to the use of different features, such as lighting. Director Young stated that there are required features for developers to use, and optional features, but 50% of the optional features are required. It is not related to bonus density. He explained that there is no reward, there are just more options with the point system. The different options have a point value.

Council Member Jensen asked if the ordinance gives the option to use a garage or a carport. Director Young responded that of the total required 2.5 stalls per unit, one has to be a garage. The developer can decide what to do with the rest of the parking. It was noted that there are guidelines for what the carport can look like.

Director Young stated that from the comments received there will be revisions to two of the ordinances. The first pertained to the senior definition and parking and the second is to remove the reference to the "Community Development Director" in definition. Administrator Darrington stated that they will also add a map on the I-15 frontage.

Mayor Call stated that they will have staff fine tune items j and m.

There were no comments from the public. Mayor Call closed the public hearing.

ACTION: Council Member Meacham moved to continue ordinance 2013-5 to April 16. Council Member Robinson seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting "Aye."

K) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2013-6) AMENDING SECTION 10-11D-16: CS-2 ZONE MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENT REQUIREMENTS, OF THE PLEASANT GROVE CITY CODE, AMENDING VARIOUS PROVISIONS REGARDING MULTI-FAMILY HOUSING PROJECT DESIGN, HEIGHT, DENSITY, PARKING, OPEN SPACE, LANDSCAPING, DESIGN FEATURES, ETC.; AND PROVIDING FOR AN EFFECTIVE DATE. (SAM WHITE'S LANE NEIGHBORHOOD) PRESENTER: DIRECTOR YOUNG

Director Young stated this is the CS-2 Zone, which is the area behind the Smiths Grocery Store. He stated there is no opportunity in the Macys area, and would only be behind the store or on frontage on State Street. He stated that I-15 frontage or senior housing have not been included in this zone. Council Member Boyd asked what changes have occurred. Director Young stated that this ordinance change is only to bring the CS-2 Zone into compliance with the Grove Zone so they both have the same requirements.

Attorney Petersen thought they were striking comments under 10-11 D-16 regarding multi-family residential development requirements, but the comments were still appearing on the document. Director Young stated that the comments need to be included in the document.

There were no comments from the public. Mayor Call closed the public hearing.

ACTION: Council Member Robinson moved to approve the ordinance 2013-6 amending Section 10-11d-16: CS-2 Zone Multiple-Family Residential Development Requirements, of the Pleasant Grove City Code, amending various provisions regarding multi-family housing project design, height, density, parking, open space, landscaping, design features, etc.; and providing for an effective date. A public hearing was held. Council Member Meacham seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting “Aye.”

L) **PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2013-7) AMENDING CHAPTER 10-11E, DOWNTOWN VILLAGE ZONE (DV), OF THE PLEASANT GROVE CITY CODE, AMENDING VARIOUS PROVISIONS REGARDING PROJECT DESIGN, HEIGHT, DENSITY, PARKING, OPEN SPACE, LANDSCAPING, DESIGN FEATURES, ETC.; AND PROVIDING FOR AN EFFECTIVE DATE. (OLD FORT, LITTLE DENMARK, AND STRINGTOWN NEIGHBORHOOD) PRESENTER: DIRECTOR YOUNG**

Mayor Call reported that item “1” is in the Downtown Village Zone. Director Young stated that the Downtown Village Zone is all encompassing and has two sub-districts and an overlay. There is the Commercial Sub-District, the Transitional Sub-District and the Mixed-Use Overlay. The Mixed-Use Overlay is another chapter they have had concerns about with the senior definition. The chapter addresses the permitted uses for multi-family because they are only permitted within the Mixed-Use Overlay. Other areas within Downtown do not permit multi-family development. He stated that there were few changes to the ordinance, but there was some verbiage that needed to be updated.

Director Young stated in reference to parking, landscaping and similar items that the City is trying to bring from the Grove Zone into the CS-2 Zone and the Downtown Village Zone, have application in this chapter. Anything with specific to multi-family housing and its permitted use will be found in the Overlay.

Council Member Boyd asked to be provided with a hard copy of the ordinance to review and discuss at a future date. Director Young stated that over the last few months they have thoroughly reviewed all of the information with the Council and thought the Council would be comfortable at this point moving forward. Mayor Call responded that they were very close to being ready to move forward. He suggested that the Council receive hard copies and take the next two weeks before the next meeting to meet with Director Young to discuss questions or concerns. Director Young indicated he would not be present for the April 16 meeting. Mayor Call recommended the Council raise question with Director Young well before the April 16 meeting.

ACTION: Council Member Jensen moved to continue Ordinance 2013-7 to April 16. Council Member Robinson seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting “Aye.”

M) **PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2013-8) AMENDING CHAPTER 10-11G, DOWNTOWN MIXED USE OVERLAY ZONE (DMU), OF THE PLEASANT GROVE CITY CODE,**

AMENDING VARIOUS PROVISIONS REGARDING PROJECT DESIGN, HEIGHT, DENSITY, PARKING, OPEN SPACE, LANDSCAPING, DESIGN FEATURES, ETC.; AND PROVIDING FOR AN EFFECTIVE DATE. (OLD FORT, LITTLE DENMARK, AND STRINGTOWN NEIGHBORHOOD)
PRESENTER: DIRECTOR YOUNG

ACTION: Council Member Jensen moved to continue Ordinance 2013-8 to April 16. Council Member Robinson seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting “Aye.”

8) NEIGHBORHOOD AND STAFF BUSINESS

Assistant to the City Administrator, David Larson, thanked the Council for their patience while they worked on website issues over the weekend. He reported that everything was taken care of. Assistant Larson stated that the City has secured UVU for the Promenade Night.

Director Walker asked the Council if they had questions regarding the canal flooding. He reported that two homes and four yards were flooded. He indicated that Provo River Water will take care of the flood and the City has no liability. Director Walker stated that the flood occurred due to a mistake with a manhole lid and was easily fixed.

Administrator Darrington stated that there will be no Work Session on April 9th because they will be attending the school district meeting to finish the inter-local agreement. He stated that the school district should have the agreement on their April 9th agenda. Administrator Darrington reported that the Murdock Canal Enclosure Celebration is scheduled for the following Friday. He also reported that the City’s cemetery Sexton, Kary Johansen, has a physical disability that will require him to leave his position. An advertisement was to be published to fill this position with interviews to be conducted in a few weeks.

Arts and Culture Director, April Harrison, reported that the Historic Commission appointed Korman King to serve as Chair for the next year. In addition, the Heritage Days Committee decided to now call Heritage Days “The Jubilee” with a subtitle of Pleasant Grove Celebration. Director Harrison indicated that the Center Stage Kids are performing The Little Mermaid at the end of April.

9) MAYOR AND COUNCIL BUSINESS

Council Member Robinson stated that the Get Up and Move contestants are participating in a four-week triathlon. There was, however, an issue with the distance of the swim. Mr. Derrick Rykert from the American Fork Rec Center is donating a five punch to each participant to their pool.

Mayor Call reported that all were provided with a copy of the next City Council Meeting Agenda and the RDA and were asked everyone to review them.

10) SIGNING OF PLATS

No plats were signed at this time.

11) REVIEW CALENDAR

Mayor Call asked when the open burn ends. It was reported the burn ends on May 30 and permits can be filled out online.

Assistant Larson reminded the Council that Thursday is the monthly Chamber Meeting regarding what the City is doing to help businesses. He invited the Council to attend. Council Member Jensen stated he has had two people ask him if they could have the Pleasant Grove Chamber form a joint chamber with American Fork, similar to what Provo and Orem did in order to give the Chamber a broader more powerful voice. Administrator Darrington stated that it had previously been that way, but the business owners voted to keep it within the City.

12) ADJOURN

ACTION: Council Member Robinson moved to adjourn. Council Member Jensen seconded the motion. The motion passed unanimously with Council Members Boyd, Jensen, Meacham, and Robinson voting “Aye.”

The City Council Meeting adjourned at 8:09 p.m.

This certifies that the City Council Minutes of April 2, 2013 are a true, full and correct copy as approved by the City Council on May 7, 2013

Kathy T. Kresser, CMC Deputy City Recorder

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