

**Pleasant Grove City
Joint City Council and Planning Commission
Meeting Minutes
March 24, 2015
6:00 p.m.**

PRESENT:

Mayor: Michael W. Daniels

City Council Members:

Dianna Andersen
Cindy Boyd
Cyd LeMone
Jay Meacham
Ben Stanley

Staff Present: Scott Darrington, City Administrator
David Larson, Assistant to the City Administrator
Deon Giles, Parks and Recreation Director
Dean Lundell, Finance Director
Dave Thomas, Fire Chief
Carl Nielson, Police Sergeant
Kathy Kresser, City Recorder
Tina Petersen, City Attorney
Lynn Walker, Public Works Director
Ken Young, Community Development Director
Degen Lewis, City Engineer
Sheri Britsch, Library and Arts Director
Royce Davies, City Planner

Planning Commission Members:

Eric Jensen, Planning Commission Chair
Drew Armstrong
Lisa Coombs
Scott Richards
Gary Yeates
Levi Adams
Dallin Nelson
Amy Cardon

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

1) **CALL TO ORDER**

Mayor Daniels called the meeting to order and noted that Council Members Boyd, LeMone, Stanley, Andersen and Meacham were present.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Jennifer Baptista.

3) **OPENING REMARKS**

The opening remarks were given by Lisa Liddiard.

4) **APPROVAL OF AGENDA**

ACTION: Council Member Stanley moved to approve the agenda as public record. Council Member Meacham seconded the motion. The motion passed with the unanimous consent of the Council.

5) **OPEN SESSION**

Mayor Daniels opened the open session.

Matt Godsey gave his address as 1026 East 1100 North and asked for an update on the Public Safety Building Committee. Mayor Daniels explained that City Administrator, Scott Darrington, wrote the job descriptions, which were sent to the Mayor for review prior being presented to the Council. Mayor Daniels stated that less is more in terms of the description because the people who are going to volunteer are well versed in the issues. The matter will be circulated to the Council on next week's agenda and then distributed to the public.

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

6) **REVIEW/DISCUSSION ON ACCESSORY APARTMENTS**

Community Development Director, Ken Young, distributed a packet of attachments on accessory apartments in Pleasant Grove City to the Council for review. The intent of the presentation was to review key points included in the packet. He provided a history of accessory apartments in Pleasant Grove, and informed the Council that there have been various times in zoning since pre-1951 when they have been permitted and constructed in single-family residential zones. Prior to 1951, there was no zoning ordinance. There are very old apartments that were likely built before 1951, and according to the building permit records, there are more built up until 1985. Therefore, it could be concluded that there was a substantial period of time in the City when these types of apartments were permitted.

Between 1963 and 1985 accessory apartments were specifically allowed, as mentioned in the City Code. An ordinance was adopted in 1978 that provided applicants with approval by way of a special use permit. In 1985, a re-revised zoning code eliminated accessory apartments as a permitted use in all single-family residential zones. Between 1985 and 2000, there are no records of discussions regarding accessory apartments. In the year 2000, staff found an attempt

to amend the Code to allow accessory apartments. In the past 15 years, there have been six ordinances come forward in an effort to pave the way for a legal permitting of accessory apartments.

Currently, accessory apartments are permitted in the RM-7, Downtown Village Mixed-Use Zone and Grove Zone. Three separate public surveys were conducted on the issue. A survey in 2009 generated 249 responses; in 2011, 1,295 responses were collected. In addition, last year's survey generated 885 responses. In each of the surveys, approximately three-fourths of the respondents expressed support for allowing accessory apartments. Staff was of the opinion that members of the public with concerns regarding accessory apartments have had ample opportunity to express their questions and concerns. The City should value the input received through the surveys. Staff believed sufficient input from the public had been given on the issue and there was more than enough information to make a decision. A proposed ordinance was recently reviewed and recommended by the Planning Commission to allow regulated accessory apartments.

If the Council determines that the input received is not sufficient, staff recommended the City bring forward the question of whether to allow accessory apartments in Pleasant Grove, by way of a public hearing. Director Young stressed that this is not a new question and has been raised several times in the past. Should the City, however, find it necessary to ask the question again, three potential responses should be suggested. These include:

1. No;
2. Yes, without regulations; and
3. Yes, but with some regulations.

If the majority of the public is not in favor of accessory apartments, the City can review the methods of enforcement that are currently in place and a determination can be made as to whether they need to be increased or improved upon. The public will then be informed of the City's position on the matter. If the majority of the public responds, yes, without regulations, the City Code should be amended to list accessory apartments as a permitted use. If the majority of the public responds yes, with regulations, the City needs to begin a review and hearing process to determine the regulations that are desired. From that point, the City Code can be amended. Director Young did not feel it would be best to define all of the regulations at this point. An answer from the public was needed prior to moving forward.

Council Member Stanley asked what the current level of enforcement is for accessory apartments that are allowed in the aforementioned zones. Director Young replied that they are permitted without regulations. Council Member Boyd felt that accessory apartments should be defined because they vary from zone to zone. Director Young explained that if a single-family home in one of the three permitted zones desires an accessory apartment, all they need is a permit. Council Member Meacham asked if staff was aware of all of the apartments that currently exist in the zones. Director Young responded that staff was aware of all of the regular, approved apartments; however, they were not aware of all of the existing accessory apartments. The problem exists because the City hasn't regulated or permitted them. He remarked that many people can likely identify some that exist in various areas of the City and there are probably

some areas where they are more predominant. Staff had attempted to identify those that exist; however, it is very difficult to do because there isn't a registration or permit process. Council Member LeMone requested that the Frequently Asked Questions be uploaded on the website. Council Member Andersen commented that the packet and the chronological history is very helpful. Mayor Daniels stated that the question for the Council is whether to officially recognize accessory apartments in Pleasant Grove and the reason for recognizing them. Director Young remarked that this is a very substantial component of housing in the community right now. It would be irresponsible for the City to not recognize them and do nothing about the situation. He felt there should be language in the Code regulating the existing housing situation. Administrator Darrington agreed that the City needs to determine how to take care of what currently exists and assess the appropriate method for moving forward.

Planning Commissioner, Eric Jensen, explained that the Planning Commission had an extensive conversation about accessory apartments, which was prompted by the most recent survey conducted last year. They decided to move the discussion to the Council for review. He stated that there are accessory apartments that exist in the community and something needs to be done. Mayor Daniels asked if the proposed ordinance originated through planning or with the staff's review. Commissioner Jensen responded that the ordinance originated with staff and was reviewed by the Commission. The Planning Commission has since made modifications to the proposed ordinance. Mayor Daniels asked if the modifications dealt with regulations, or primarily with whether to recognize accessory apartments. Commissioner Jensen replied that the modifications addressed both aspects and the Planning Commission voted unanimously to allow accessory apartments with regulation.

City Attorney, Tina Petersen, stated that apartments that were established between 1963 and 1985 could potentially be granted non-conforming use status. The residents would need to provide evidence that they were legally established as accessory apartments during that time and that they complied with any regulations. A non-conforming status would make the apartments exempt from any prospective prohibition on accessory apartments. Council Member Stanley asked staff if they were aware of specific apartments that would fall into this category. Attorney Petersen was not aware of any. Director Young added that it would be difficult to find this information because there will be a lot of homes where ownership has changed over the years. Staff would have to go through all of the City's records to find the permitting of an accessory apartment during that time period. Many of the records are handwritten and aren't specific in terms of the types of permits that were granted.

Director Young explained that staff has identified other cities that currently allow and have a permitting process for accessory apartments. Within the Utah County area, 16 cities were surveyed. Of those 16 cities, 11 currently permit accessory apartments, whereas five do not. Santaquin allows them without regulation but the others allow them with regulation. There is a lot of common ground in terms of regulations of the other cities but there are also variations.

Council Member LeMone inquired as to whether staff has formulated a list of regulations that have proven successful for other cities. Director Young referred to 2002 when he served on a committee for this same issue, while employed with JUB Engineers. At the time, there was some research done on the types of regulations other cities enforce. In looking at ordinances that have come through since that time, many of the regulations have remained the same. The most recent proposal contains similar suggestions.

Mayor Daniels stated that the first step is to decide whether to recognize the proposed ordinance. If the Council chooses to recognize the ordinance, they will need to decide whether to regulate, which would involve additional work. Director Young recommended the Council not focus on specific regulations until they have decided which option to pursue. Council Member LeMone remarked that she received feedback from citizens who expressed their support for accessory apartments if the regulations were in place prior to approval. Director Young explained that this is where barriers have occurred in the past. Mayor Daniels agreed and explained that in the past the idea has been entertained, and everyone got too caught up in the details. Over time past proposals were eventually abandoned.

Mayor Daniels asked the Council if they would like to move forward to prepare an ordinance that permits accessory apartments. Council Members Andersen and Meacham supported moving forward. Council Member Boyd was also supportive of moving forward but was concerned about the financial implications of enforcement and the hoops that citizens will have to jump through in order to obtain a permit. She wasn't sure how to make the situation a win-win for both those residents with older homes and those with newer homes. Overall, the Council was supportive of an ordinance that permits accessory apartments with additional regulations that had yet to be determined.

Council Member Meacham raised additional issues and stated that in reading some of the material, there appeared to be a revenue portion. He was not sure he could agree to allow accessory apartments for revenue's sake. He made reference to language in the proposal that implied that utility fees would be charged not only for the home, but for the accessory apartment as well. He also brought up issues pertaining to population increase due to allowing accessory apartments. He asked how a potential population increase in the City would affect the infrastructure currently in place. The potential revenues created by a population increase from accessory apartments were discussed. Further concerns were also reviewed. Mayor Daniels suggested that regulations be discussed at another time.

Administrator Darrington asked the Mayor and Council at what point they would like to involve the public in the discussion. A model ordinance had already been worked on by a committee and recommended for approval by the Planning Commission. At the retreat, the question was raised about whether public feedback is needed before creating the model ordinance. If the public indicates that they aren't in favor of the ordinance, putting together a proposal could be a waste of time.

Mayor Daniels referenced the three different surveys conducted. He wasn't sure the surveys were statistically significant based on the number of households that responded. He pointed out, however, that in all cases there was a 74% response that showed support for the accessory apartments. He wasn't sure if different results could be gathered short of a vote. The City would need to go beyond a simple survey and actually get everyone's opinion.

Administrator Darrington agreed with Mayor Daniels. He stated that if everyone agrees that no is not a valid response from citizens, how far should the Council go before involving the citizens in public hearings. Mayor Daniels asked if the Council should discuss individual issues at a Council level, or have a committee piece the information together and present it to the Council. Council Member Boyd suggested the Council communicate their concerns to the committee so

that they can address them along the way. Mayor Daniels stated that specific questions could either be raised during meetings or emailed to staff who would in turn present them to the committee.

Director Young suggested having another Council Meeting to review their issues with the proposed ordinance so that specific direction can be given to the committee. Council Member LeMone liked the idea. Director Young advised the Council to email him their concerns. Council Member Meacham asked if the Planning Commission had already discussed the issues. Commissioner Jensen explained that Orem City went through something similar a few years ago and the allowance of accessory apartments did not have as significant of an impact on their City as they thought it would. Director Young suggested the Planning Commission serve as the committee that reviews the issues and bring them back to the City Council. The Planning Commission had already reviewed several of the issues in the format of the proposed ordinance.

Planning Commissioner, Scott Richards, mentioned that the Commission has already discussed many of tonight's concerns; however, they could further discuss them and the impacts they would each have on the community. Mayor Daniels asked if the Council was comfortable delegating that initial approach to the Planning Commission and the Council responded affirmatively. They were directed to send their concerns to either Director Young or Commissioner Jensen. Commissioner Jensen explained that the results from last year's survey also contain data on the top 15 concerns raised by the respondents. Commissioner Richards remarked that it is important for the Council to identify issues that are the most important to them, which will help streamline the Commission's approach.

Council Member LeMone expressed interest in reviewing Orem's data from three or four years ago when they addressed the issue. Commissioner Richards asked for a time frame on the project. It was noted that the next scheduled joint meeting between the Council and Commission is in three months. All agreed to review the matter again at that time. Director Young suggested that the Council review their list of concerns in two weeks.

7) **DISCUSSION ON FRANCHISE FEES FOR CITY UTILITIES (REVENUE NEUTRAL PROPOSAL TO COMPLY WITH STATE AUDITOR REQUIREMENTS).**

Finance Director, Dean Lundell, stated that he addressed this issue a few weeks earlier. He explained that the franchise fee will be for any utilities in the City that aren't City-owned, such as Questar Gas or Rocky Mountain Power. The utilities will be charged a franchise fee for the ability to work in the City. The fees charged to these companies are five or six percent but the franchise fee will be less for City utilities. The franchise fees will be equal to what the utilities would be. The franchise fee would be a charge of up to three percent but less could be charged. The actual fee will likely only be 1.5 to two percent. Mayor Daniels asked if the way to establish the correct amount will be done by using meters. Director Lundell answered in the affirmative; however some of the utilities, such as storm drain, are based on other factors. For example, the storm drain is based on an impervious area, whereas secondary water is based on land size. Sewer and water, however, are determined by meters.

Council Member Meacham asked how this can be revenue neutral, if there are funds that currently come from the General Fund that will eventually come from enterprise funds. He

wanted to know if additional revenues will be required for the enterprise funds in order to replace the money that will be coming from the General Fund. Director Lundell explained that the franchise fee would purge money to the enterprise funds in the same amount that would go back to the General Fund.

Mayor Daniels clarified that the State Auditor is not content with the fact that utilities used by a City are not reported somewhere and that cities have the ability to charge an enterprise fund for administrative fees. Administration costs are currently in the General Fund and the utility fees are currently in enterprise funds. The City is simply going to make those numbers equal and establish a new method for showing the expenses in the books. There will be no change to the amount of money in both funds. There will be a fee to the General Fund from utilities for the amount of utilities used and a fee to utilities from the General Fund for the amount of overhead the City provides to manage the utility. In this way, the process becomes revenue neutral.

Council Member Meacham wanted to make sure that the City is not intending to raise the enterprise revenues. Director Lundell clarified that there will be no effect on rates. Furthermore, he noted that a public hearing on the issue was scheduled for April 14. Mayor Daniels brought a drafted model ordinance to the Council's attention. Attorney Petersen stated that the Council needs to decide how they want to handle this process. She mentioned that as per Director Lundell's last presentation on this item, there is another way to handle the new requirement but it is more cumbersome because it requires notice be sent out each year to the rate payers.

Attorney Petersen wanted to be sure that the Council is comfortable with this mechanism for complying with the Auditor's requirements as well as the ordinance language that specifies a franchise fee of around 3%. The ordinance was worded in this way because staff is not able to say with certainty what the exact rate will be. Other cities have charged a flat rate, however, Pleasant Grove is trying to build flexibility because they don't want to charge more than what it will cost. Mayor Daniels advised staff to move forward with this option.

8) NEIGHBORHOOD AND STAFF BUSINESS

Public Works Director, Lynn Walker, reported that the water from Orem City has been rented. Director Young noted that all members of Planning Commission were present. He also mentioned that next week's meeting was cancelled. As a result, a follow up on the accessory apartments will take place on April 14. Last, Director Young shared a letter from a resident commending a few employees in the Community Development Department for their outstanding customer service.

Library and Arts Director, Sheri Britsch, announced that she applied for the Community Development Block Grant, which is a federal grant administered through a group in Utah County, to fund an elevator for the library. On Friday she was informed that they were awarded the grant for \$140,000. Last, she announced that the Panda Express fundraiser will take place on Friday and 20% of purchases made that day will go toward the library.

Administrator Darrington stated that they need to review next week's agenda, which includes six public hearings.

9) PLANNING COMMISSION BUSINESS

There was no further Planning Commission Business.

10) MAYOR AND COUNCIL BUSINESS

Council Member Andersen asked if Council Members want to ride together or separately for the Strawberry Days Parade. Everyone decided to go separately with families. Also, Council Member Andersen mentioned that Aroma Tools has a reception center on the top level of their building and they will be having their ribbon cutting soon. They want to open the reception center to weddings, which is not currently a permitted use.

Director Young replied that staff has been in discussions with them and they submitted an application to amend the Code to allow receptions and other special events as a permitted or conditional use. Staff also communicated to the business that if they are only going to be using the reception center occasionally for special events, there isn't any problem. However, if they are going to start getting into a regular business for special events, they will need a Code amendment. As a result, they submitted an application to amend the code. Council Member Meacham asked if there are any negatives to allowing the use. Director Young explained that the main concern is parking. They, however, have the ability to add more parking to their property than what they currently have. Access to the property was briefly discussed.

Council Member Andersen asked for an update on the House Bill on the road tax. Administrator Darrington replied that the City hasn't heard anything yet; however, more discussions will take place at the Utah League of Cities and Towns Conference (ULCT) in St. George in two weeks. At that point, ULCT will be able to pinpoint what each city could possibly generate. Furthermore, it is all contingent on the County putting the proposed tax on the ballot.

Council Member Stanley complimented Police Sergeant, Carl Nielson, for handling a difficult issue on Friday. It was the first time the City had employed the newest reverse 911 technology, Everbridge. He asked Sergeant Nielson if he was satisfied with the technology's performance. Sergeant Nielson responded that he hadn't heard how it went, but he agreed to report back. Administrator Darrington stated that there are some communication issues that need to be fixed. Staff wanted to make it so that the Council receives real time notification on everything that is transmitted to the public. In this last event, the Council was getting secondhand information from Administrator Darrington, and he wanted things to be different going forward.

Council Member LeMone asked Sergeant Nielson if they have already done a debriefing on Everbridge. Sergeant Nielson replied that this has not yet taken place. Council Member LeMone received several comments from the public and was directed to send the remarks to staff. Council Member LeMone asked about the tennis courts at Battle Creek Park and noted that they have been locked. She wanted to know if they have been locked because construction isn't technically done around the court. Administrator Darrington replied that they should be open and agreed to contact the construction company to get a status update.

Council Member LeMone reported that she had several people ask her about sidewalks. She asked if staff had prioritized which sidewalks will be repaired by the City. Furthermore, she inquired as to what factors are used when prioritizing certain areas. Director Walker explained

that the budget is spread out and sidewalks are prioritized based on whether they are endangering the health and safety of the community.

Council Member LeMone asked for clarification on the entity responsible for repairing sidewalks near schools. Administrator Darrington responded that if the area in question is on the school district's property, it is the school district's responsibility. Sidewalks on City-owned property are the City's responsibility. He further explained that the City's budget for sidewalks is for repairs only. There technically isn't a budget for new sidewalks and most of the time when a new property goes in, the developer will install new sidewalks. If there is City-owned property that needs a sidewalk, he advised her to make him aware of the location, so that they can take a look at the cost and create a capital budget item. He noted that sidewalks in residences are the responsibility of the property owner. Director Young added that property owners aren't required to install sidewalks or make repairs unless they meet a threshold of improvement or expansion to their property. If property owners pass that threshold, the City requires the installment of those missing improvements. Council Member LeMone suggested that it might be beneficial to have a priority list for any City-owned sidewalks.

Next week's meeting agenda was reviewed. The first item was to consider the appointment of the Strawberry Days Chair and Vice-Chair. Mayor Daniels explained that there will be a change, because the current Chair, Bruce Chesnut, was called to serve as a Mission President for the LDS Church. The current Vice-Chair, Melissa Finch, agreed to step in as Chair and has brought on another Co-Chair. Administrator Darrington explained that once the applications have been completed, they will include biographies of each individual. This will be distributed to the Council once the information has been made available.

There will be six public hearing items next week. The first will be a public hearing to consider adoption of an ordinance adopting the Water Management and Conservation Plan. The second will be a public hearing to consider adoption of an ordinance amending the Pleasant Grove Municipal Code Section 10-11-C-2D, to allow caretaker quarters to occupy up to 10% of a building area occupied by a business where the business has operations, equipment, or other resources that require 24-hour surveillance in the Commercial Sales (CS) Zone.

Director Young explained that this item is an ordinance amendment proposed by the applicant. Item 10 B is currently in the CS Zone and MD district where caretakers are allowed to be part of a business. The size of the quarters is based on a certain percentage of the size of the business, and has to have rear access. Director Young presented an aerial map of the zones in question. In the CS Zone along the southern end State Street there is a potential business that would like to have a caretaker facility in the rear of the business. The proposed regulations in the other zones are that the facility must be attached to the primary structure and a 10% maximum of the primary structure can be allowed for the residential quarters. Furthermore, the living quarters must be inconspicuous in design, located in the rear of the building, may not be rented to another person that is not associated with the business, and allowed only if 24 hour surveillance is required for the business.

The third public hearing will be to consider adoption of an ordinance amending the Pleasant Grove Municipal Code Section 10-11-D-2-E, to add land use codes #5821, "Dance halls serving alcoholic beverages (excluding hard liquors)" and #6399 "Other personal services, NEC. (Includes babysitting bureaus, rental of beach chairs, invalid supplies, pillows, marriage bureaus, reducing salons, receptions, wedding chapels, etc.)" as conditional uses in the CS-2 zone.

Director Young explained that currently there are two areas in Pleasant Grove that are zoned CS-2. One area is located near the Smith's Shopping Center and the other area is near Macey's. The applicant is looking at land near the Smith's Shopping Center and has indicated interest in this property for special events, family parties, receptions, and Quinceaneras.

Council Member Boyd asked about the different alcohol licenses. Attorney Petersen explained that there are two different types. The State regulates the hard liquor license and wine and beer licenses are regulated by the City. The applicant is not asking for permission to serve hard liquor. She explained that staff has concerns with the alcohol licensing of the application. It was noted that this particular applicant used to use the Lion's Center for these types of events. However, the Lion's Center rates changed and alcohol is not allowed there. When this item came before the Planning Commission, they were supportive of the applicant's proposal.

Planning Commissioner, Lisa Coombs, stated that the applicant provides his own security, and coordinates with the Police Chief to ensure that events are handled properly. Attorney Petersen indicated that she had also spoken with the applicant. He does not currently operate anything similar to what he would like to in Pleasant Grove. His facility in Provo is very successful but he does not serve alcohol there. She stated that there is a bit of a disconnect between what he presented and how he does business. She mentioned that the statistics the applicant has presented are not accurate.

Commissioner Richards recalled that according to the notes from the Planning Commission Meeting, alcohol is served at the business in Provo. The applicant explained during the Planning Commission Meeting that he works closely with the Provo Police Department to handle complaints or issues. If he has indicated to staff that alcohol is not being served in Provo, then there is a discrepancy. Attorney Petersen reported that she specifically asked the applicant this question, and he informed her that they do not serve alcohol in Provo. Director Young suggested that perhaps the applicant wasn't clear about whether he allowed alcohol to be brought in. Mayor Daniels pointed out that there are two different discussions going on. One discussion was with regard to a person who wants to do a business in a certain area. The second discussion was whether the City wants to approve an ordinance that allows a type of use in an area. If the Planning Commission pushed the item forward based on a specific applicant, then perhaps it needs to be revisited based on the ordinance and permitted use for the area.

Planning Commissioner, Levi Adams, referred to Attorney Petersen's remark about the numbers being inaccurate and stated that he based his decision on the evidence presented. In 11 years, there has only been one DUI, which is insignificant. The information leads him to believe that there isn't a problem. Commissioner Adams felt that the numbers presented were insignificant for the time period. Mayor Daniels stated that the discussion pertained to an ordinance to permit a use in an area, which is different than approving an application for a specific use. If the decision being made is based on a particular applicant rather than the ordinance itself, the matter should be revisited.

Administrator Darrington stated that the Council can defer the matter back to the Planning Commission next week, if desired. They also have the authority to make a decision the following week. Mayor Daniels suggested the item to go back to the Planning Commission before it comes to the Council. Attorney Petersen explained that because the item has already been noticed and is on next week's agenda, it has to be left on the agenda for next week and

formal action can be taken then, i.e. take action on the request or send it back to the Planning Commission.

Planning Commissioner, Amy Cardon, stated that the Planning Commission asked the applicant about the liquor license and how it would apply to his business. The applicant informed the Commission that he would not have to apply for a license from the State or the City, because the building would be used for private events. Administrator Darrington stated that the City can deny approval for alcohol, but can approve a dance hall as a permitted use. If this is the case, people can still bring alcohol in with them. Patrons can bring their own alcohol, however the applicant will not be able to sell it on the premises. Others agreed that this might be what is occurring in Provo.

The fourth public hearing would be to consider adoption of an ordinance amending the Pleasant Grove Municipal Code Section 10-14-24-1-C to add land use code #6377, "Indoor climate controlled storage facilities" as a conditional use to the Grove Zone, Commercial Sales Subdistrict. Director Young explained that recently there was an ordinance that passed for the exact same thing in the CS-2 Zone. Another applicant now wants to do the same thing in the Grove Commercial Sales Zone on property off of North County Boulevard. The zone is similar, and the request is almost the same as the previous one. Some modifications were made to the verbiage contained in the ordinance. In response to a question from Council Member Boyd, Administrator Darrington noted that the property is located south of Shamrock Auto Sales. The proposed storage use will have a 200-foot setback from the road and the intent of the frontage is for commercial use. Less than 50% of the project will be used for storage. Mayor Daniels pointed out that the applicant is requesting modification to the Code for their specific use.

In response to a question raised by Council Member Stanley, Director Young confirmed that #6377 was created with the most recent request. Council Member Stanley asked if it included some element of security. Director Young explained that security was not included as a Code requirement; however, the issue of security was something that normally follows these types of facilities.

The fifth public hearing was to consider adoption of an ordinance amending the Pleasant Grove Municipal Code Section 10-14-15-M to reduce the required landscape buffer size in front of live-work units that are part of a mixed-use development in the Grove Zone. Director Young presented an aerial map of the Steeple Chase subdivision located on 700 South. There are two buildings that are called live-work units. The bottom four units are commercial with residential condominiums are on top. The applicant wants to do the same type of development on his property, which is called Garden Grove. The property is located at approximately 1300 West, across the street from the LDS church and the Cambria Condos. The eight-acre property is owned by the Robinson Family and is under contract for the development of a multi-family development, for which it is already zoned.

Under the current revised ordinance, the developer is required to develop three types of housing product with one of the three types being the live/work units. Currently, the City requires multi-family projects to have a 25-foot landscaped setback. In the case of this particular application staff found that the requirement would be challenging for that specific type of housing. The parking for the commercial units was just on the street or to the rear. On-street parking was not considered legal for this development because it is on an arterial road. Parking was planned to

the rear of the units to accommodate commercial uses. It will, however, not provide sufficient access to the commercial buildings. Therefore, the applicant wants to change the setback requirement for these specific types of units so that there is only a 10-foot landscaped setback allowing more of a parking area to occur. The configuration of the sidewalk, landscape buffer, and planter strip were then briefly discussed.

The last public hearing would be to consider adoption of an ordinance amending the Pleasant Grove Municipal Code Section 11-3-4 to allow temporary accesses for subdivisions to be abandoned when standard street access becomes available. Director Young recalled that the Council had previous conversations with Kevin Peterson regarding access into his property off of 2600 North. Mr. Peterson initially wanted to pursue a flag lot, but the City determined that this would not be the best action. Therefore, Mr. Peterson came back with a proposal to meet the City's vicinity plans for road access with an alternative proposal that would ensure a future road access to be constructed from the west into this property.

Mr. Peterson proposed to construct the end of the cul-de-sac and allow for future expansion to the west. Until the future extension occurs, he suggested that a temporary access be allowed on 2600 North, which in essence would be the flag lot stem. This will allow the City in the future to accomplish a City street in that area rather than just a closed-off flag lot subdivision that doesn't otherwise have a City street access. His proposal was to move forward to create his portion of the street and temporarily access it, until such time that it can otherwise be accessed as a finished City street. Staff felt this would be the best way to meet several challenges in developing his property.

Council Member Boyd asked if there is an overall vicinity plan available for review. Director Young answered in the affirmative. He explained that the vicinity plan is the City's guide, but if a developer comes up with an alternative plan that works, the alternative can be reviewed. Council Member Meacham concluded that this will create the cul-de-sac without the stem. The vicinity map will become critical in this situation. Council Member Stanley asked how the Planning Commission voted on this item. Commissioner Jensen explained that they were unanimously in favor of the proposal.

The last two items on the following week's agenda would involve a budget discussion and a review of the Public Safety Building Citizen Committee Application. There will be no meeting held on April 7, 2015.

11) SIGNING OF PLATS

There were no plats signed.

12) REVIEW CALENDAR

There were no further calendar items to review.

13) ADJOURN

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

The City Council Meeting adjourned at 7:53 p.m.

Minutes of March 24, 2015 Joint City Council and Planning Commission meeting were approved by the City Council on April 21, 2015.

Kathy T. Kresser, City Recorder

Minutes of March 24, 2015 Joint City Council and Planning Commission meeting were approved by the Planning Commission on _____.

Barbara Johnson, Planning Tech

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