

**Pleasant Grove City  
City Council Meeting Minutes  
August 25, 2015  
6:00 p.m.**

PRESENT:

Mayor: Michael W. Daniels (arrived at 6:23 p.m.)

Council Members: Dianna Andersen  
Cindy Boyd (arrived at 6:15 p.m.)  
Cyd LeMone  
Ben Stanley

Excused: Eric Jensen  
Tina Petersen, City Attorney

Staff Present: Scott Darrington, City Administrator  
Dean Lundell, Finance Director  
David Larson, Assistant to the City Administrator  
Degen Lewis, City Engineer  
Mike Smith, Police Chief  
Kathy Kresser, City Recorder  
Ken Young, Community Development Director  
Marty Beaumont, Public Works Director  
Sheri Britsch, Library and Arts Director

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

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1) **CALL TO ORDER**

In the absence of Mayor Daniels, Mayor Pro-Tem, Cyd LeMone, called the meeting to order and noted that Council Members Stanley, LeMone and Andersen were present. Council Member Boyd arrived at 6:15 pm. Mayor Daniels arrived at 6:23 p.m. Council Member Jensen was excused.

2) **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Library and Arts Director, Sheri Britsch.

3) **OPENING REMARKS**

The opening remarks were given by City Administrator, Scott Darrington.

4) **APPROVAL OF AGENDA**

Administrator Darrington noted that an Executive Session needs to take place after tonight's Regular Meeting.

**ACTION:** Council Member Stanley moved to approve the agenda with the addition of an Executive Session. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

5) **OPEN SESSION**

Council Member LeMone opened the open session. There were no public comments. The open session was closed.

6) **CONSENT ITEMS**

- a) **To consider for approval payment of paid vouchers for August 21, 2015.**

**ACTION:** Council Member Andersen moved to approve the consent items. Council Member Stanley seconded the motion. The motion passed with the unanimous consent of the Council.

7) **BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

There were no appointments.

8) **PRESENTATIONS**

There were no presentations.

9) **ACTION ITEMS WITH PUBLIC DISCUSSION**

- A) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-31) AMENDING THE PLEASANT GROVE CITY CODE, SECTIONS 11E: DOWNTOWN VILLAGE ZONE, 10-11E-2-1: PERMITTED, CONDITIONAL AND ACCESSORY USES. (OLD FORT NEIGHBORHOOD) (Applicants, Aric Jensen and Pleasant Grove City) *Presenter: Director Young.***

Community Development Director, Ken Young, presented the staff report, and displayed an aerial map of the Downtown Village Zone. He explained that the purpose of the Downtown Village Zone is to encourage a mix of land uses and provide for quality residential and commercial development that works well together. This was in connection with a desire to maintain the historic feel and appearance of downtown while promoting new, quality development. The proposed ordinance addresses the purpose by modifying the current setback requirements for new development adjacent to historic buildings and establishes standard setbacks for residential buildings that do not front Main Street. There are also several small modifications to the Code that provide clarification for future use but do not significantly change the Code.

The ordinance amendment allows for new development to exceed two stories when it is adjacent to historic buildings, only if the new development is built over the top of the historic building that is the same height as the new development. The current ordinance requires a 20-foot setback before the new development is able to exceed two stories. The text amendment allows for more

effective use of space by allowing developers to create living/office space where it would not have previously been allowed.

A 20-foot front yard setback, an eight-foot side yard setback, a 20-foot street side yard setback, and a 20-foot rear yard setback would be required for residential structures that do not front onto Main Street. This changes the current lack of any significant requirement for these types of structures in the zone. Accessory buildings for commercial or mixed uses may be on the side property line, which would otherwise require a three-foot minimum setback. Primary site access is currently required to be located on arterial or collector roads. This limits any development in the zone to have primary site access onto 200 South and Center Street. Therefore the requirement has been removed in the proposed amendment.

In response to a question from Mayor Pro-Tem LeMone, Director Young stated that the applicant hopes to begin construction this fall. Staff, however, has not yet received a site plan for the property. Council Member Andersen asked if the proposed amendments will affect any other properties on Main Street. Director Young responded that there are some properties that could potentially be affected and mentioned a home located on the opposite side of the antiques building that does not meet the commercial building requirements. The home in question is currently for sale, and may or may not become a part of Mr. Jensen's project.

Council Member LeMone opened the public hearing. There were no public comments. The public hearing was closed.

**ACTION:** Council Member Stanley moved that the Council adopt an Ordinance (2015-31) amending the Pleasant Grove City Code, Sections 11E: Downtown Village Zone, 10-11E-2-1: Permitted, Conditional and Accessory Uses, in the Old Fort Neighborhood, and adopting the exhibits, conditions, and findings contained in the staff report. A public hearing was held. Council Member Andersen seconded the motion. A voice vote was taken, with Council Members Andersen, LeMone and Stanley voting "Aye". The motion carried unanimously. Council Member Boyd was not present for the vote.

**B) PUBLIC HEARING TO CONSIDER FOR ADOPTION AN ORDINANCE (2015-32) AMENDING THE PLEASANT GROVE CITY CODE, SECTIONS 10-11G: DOWNTOWN MIXED USE OVERLAY IN THE DOWNTOWN VILLAGE ZONE, REGARDING HISTORIC BUILDINGS AND SINGLE FAMILY LOTS. (OLD FORT NEIGHBORHOOD) (Applicants, Aric Jensen and Pleasant Grove City)**  
*Presenter: Director Young.*

Director Young explained that the above project also falls within the Mixed Use Overlay area. The mixed use density, which previously hasn't been defined for similar projects, is three residential units per 1,000 square feet. This will allow residential units to exist above main floor commercial. Mr. Jensen was also proposing to remove the 80% ownership requirement, based on HUD requirements for financing, which is difficult to acquire for these types of projects. While the City originally preferred owner occupied in the Downtown Village Zone, it is difficult to control.

*Note: Council Member Boyd joined the meeting at 6:15 p.m.*

It was reported that residential access can be permitted via a pedestrian walkway, not just on a street or a plaza. Recreational amenities are currently required for the proposed type of development, which will be removed if the amendments are approved. A traffic study is currently required for any development of this type, which places an undue burden on smaller developments that will have little traffic impact. Therefore, staff proposed that only multi-family or mixed use developments that exceed one acre or 20,000 square feet of structure will be required to conduct a traffic study. The applicant also requested that the requirement for covered parking be removed for the type of development he is proposing and multi-family development was added to the list of uses exempted from the covered parking requirement. Mr. Jensen also proposed that the current requirement include placement of a wall at the far side of each end of a carport be made optional.

Mayor Pro-Tem LeMone opened the public hearing.

Karl Kuni gave his address as 2115 North Crestwood Boulevard and asked if the developer would be responsible for installing the plaza walkthrough. Director Young answered in the affirmative and noted that it will be part of the site plan. Mr. Kuni expressed concern with loose ends that aren't reviewed for development, such as park strips. He encouraged the Council to review the items so that they don't become a burden on the City. Director Young noted that the applicant will be cleaning up the area to make room for additional parking. The walkthrough will be approximately 10 to 12 feet wide.

*Note: Mayor Daniels joined the meeting at 6:23 p.m.*

Mr. Kuni asked if there would be a designated way in and out of the development to help with traffic flow. Director Young responded that the development agreement was approved with shared parking and access. Staff and the Council reviewed an aerial map of the subject property and identified access points. Currently there are six units planned for the development, which would equate to six to 12 cars. At Council Member Stanley's request, Director Young reviewed other forthcoming project approval steps.

There were no further public comments. Mayor Daniels closed the public hearing.

**ACTION:** Council Member Stanley moved that the Council adopt an Ordinance (2015-32) amending the Pleasant Grove City Code, Sections 10-11G: Downtown Mixed Use Overlay in the Downtown Village Zone, regarding historic buildings and single-family lots and adopt the exhibits, conditions, and findings contained in the staff report. A public hearing was held. Council Member Andersen seconded the motion. A voice vote was taken, with Council Members Andersen, Boyd, LeMone and Stanley voting "Aye". The motion carried unanimously.

**C) Public Hearing To Consider For Adoption An Ordinance (2015-33) Amending The Pleasant Grove City Code, Sections 10-9B-2E: Accessory Uses, 10-9B-7F: Accessory Buildings, And 10-9B-11: Permissible Lot Coverage In All Single Family Residential Zones, Regarding Accessory Building Standards. (CITY WIDE) (Applicant Pleasant Grove City) Presenter: Director Young.**

Director Young explained that the previous week the Council approved a similar text amendment for the Rural Residential zones. The above item is a review of the remaining single-family residential zones and the requirements set forth for accessory structures. The Board of Adjustment

recently reviewed an appeal to an action that the Planning Commission had made that was continued for various issues, including questions surrounding the application filing date.

Director Young reviewed the requirements for accessory buildings for which amendments are being proposed. Starting at three feet in the rear and side yards, setbacks shall be increased by one foot for each foot of building height in excess of 12 feet (rather than 15 feet). Any accessory structure taller than 18 feet shall require a Conditional Use Permit. It was proposed that the preliminary step of noticing neighbors to see if there are any protests before requiring Conditional Use Permit is removed. Structures covering over 10% and up to a maximum of 15% of the minimum lot area shall require Conditional Use Permit approval. Accessory buildings larger than this are not deemed to be appropriate in scale for single-family residential neighborhoods. The construction of structures built of metal, vinyl, or other similar durable materials shall include a wainscot, siding, or similar architectural feature covering a minimum of 30% of all building sides (except door areas), made of similar materials or masonry used on the main dwelling. Staff recommended removing the ability to waive any of these requirements. Last, the total square footage of all buildings shall not cover more than 30% (instead of 40%) of the area of the lot.

Mayor Daniels mentioned that there are local companies that manufacture metal material that is aesthetically pleasing and beautiful. He asked if the ordinance amendments will require that the buildings with this material also be required to have a covering. Director Young explained that they want to steer away from having buildings that look like industrial warehouses. The point of the architectural requirements to is to have the buildings tie into residential.

Mayor Daniels opened the public hearing. There were no public comments. The public hearing was closed.

**ACTION:** Council Member LeMone moved that the Council adopt an Ordinance (2015-33) amending the Pleasant Grove City Code, Sections 10-9B-2E: Accessory Uses, 10-9B-7F: Accessory Buildings, and 10-9B-11: Permissible Lot Coverage in all Single Family Residential Zones, regarding accessory building standards Citywide. A public hearing was held. Council Member Andersen seconded the motion. A voice vote was taken, with Council Members Andersen, Boyd, LeMone, and Stanley, voting "Aye". The motion carried unanimously.

**10) ACTION ITEMS READY FOR VOTE.**

- A) TO CONSIDER A RESOLUTION (2015-031) AUTHORIZING THE MAYOR AND MUNICIPAL COUNCIL SITTING AS THE BOARD OF CANVASSERS TO ACCEPT THE ELECTION RETURNS AND DECLARING AND CERTIFYING THE RESULTS OF THE PRIMARY ELECTION HELD ON AUGUST 11, 2015.**  
*Presenter: Recorder Kresser.*

City Recorder, Kathy Kresser, reviewed the results of the Primary Election held on August 11, 2015.

**ACTION:** Council Member Stanley moved that the Council approve a Resolution (2015-031) authorizing the Mayor and Municipal Council sitting as the Board of Canvassers to accept the election returns and declare the winners to be Eric Jensen, Cyd LeMone, Blaine Thatcher, Lynn Walker, Don Paas and Matt Godsey, and certifying these results for the Primary Election held on

August 11, 2015, and thanking the other two candidates for their great service to the community. Council Member Andersen seconded the motion. A voice vote was taken, with Council Members Andersen, Boyd, LeMone and Stanley voting "Aye". The motion carried unanimously.

**11) ITEMS FOR DISCUSSION - NO ACTION.**

There were no additional discussion items.

**12) DISCUSSION ITEMS FOR THE SEPTEMBER 1, 2015 CITY COUNCIL MEETING.**

Mayor Daniels reviewed the following week's agenda items and noted that there are some new employees who will be introduced. Item 9A will be a resolution to sign a boundary line adjustment with the Bullocks, Wellesleys, and Fugals to clarify or correct minor differences in their legal differences relative to the boundaries of Manila Park and 50 West. Council Member Andersen asked how this discrepancy was discovered. City Engineer, Degen Lewis, explained that the property owners have known about the discrepancy and that the Bullocks are taking action to correct it so that they can move forward on a subdivision proposal.

Items 10A, B, and C are all classified incorrectly on the agenda, and will be corrected prior to next week's meeting. The Council will review a resolution that would allow the Day and Wilson families to boundary adjust into Cedar Hills, at their requests. Item 10B will be an ordinance amending the yearly scheduled City Council Meetings. Item 10C will be a resolution adopting the Watershed Protection Plan, which is a requirement from Metropolitan Water District of Salt Lake and Sandy, as well as the Jordan Valley Water Conservancy District. John Schiess, Horrock's Engineer, will come and present this plan.

The last item on next week's agenda will be a discussion on drones. Mayor Daniels referenced an incident that took place in another city where a drone was found outside a child's window at a private residence. Administrator Darrington mentioned that City Attorney, Tina Petersen, has been researching federal law on this matter. Council Member Stanley asked if there are any current laws in place regarding hand held cameras. Police Chief, Mike Smith, explained that they are not prohibited from public places. It was reported that the September 8, 2015, meeting will be cancelled.

**13) NEIGHBORHOOD AND STAFF BUSINESS**

Members of staff shared various updates respective to their departments. Assistant to the City Administrator, David Larson, thanked everyone for their help with distributing the photo directory. Additionally, he reminded the Council that there are two weeks left of the Promenade.

Public Works Director, Marty Beaumont, mentioned a discussion with Mr. Goodwin regarding a storm drain pipe at 1300 West. Staff met with the developer and contractor and they have an agreement in place for the pipe line. Construction will begin in the next few weeks.

Library and Arts Director, Sheri Britsch, read a letter from an anonymous resident who thanked the librarians for their work. Recorder Kresser announced that August 28 is the last day to sign up for the ULCT Conference in September.

**14) MAYOR AND COUNCIL BUSINESS**

Council Member Stanley reported that there was a great turnout from the Pleasant Grove Ambassadors to Businesses at the doTERRA ribbon cutting. Mayor Daniels announced that he will be out of town next week. A decision was made to move the decision on drones to September 15, 2015.

**15) SIGNING OF PLATS**

The following plats were signed: Lewis Estates and Jack Hill Subdivision.

**16) REVIEW CALENDAR**

There were no additional calendar items to review.

**17) EXECUTIVE SESSION TO DISCUSS THE PURCHASE, EXCHANGE OR LEASE OF REAL PROPERTY (UCA 52-4-205 (1)(d))**

**ACTION:** 7:05 p.m. Council Member LeMone moved to adjourn to Executive Session to discuss the purchase, exchange, lease of real property. Council Member Andersen seconded the motion. The motion passed with the unanimous consent of the Council.

PRESENT:

Mayor: Michael W. Daniels (arrived at 6:23 p.m.)

Council Members: Dianna Andersen  
Cindy Boyd (arrived at 6:15 p.m.)  
Cyd LeMone  
Ben Stanley

Excused: Eric Jensen

Staff Present: Scott Darrington, City Administrator  
Kathy Kresser, City Recorder

Mayor Daniels asked if there were any further discussion, being none, he called for a motion to come out of executive session and go back into regular session.

**ACTION:** At 7:39 p.m. Council Member LeMone moved to come out of executive session and go back into regular session. Council Member Stanley seconded. The motion passed with the unanimous consent of the Council.

**18) ADJOURN**

Mayor Daniels called for a motion to adjourn.

**ACTION:** At 7:39 p.m. Council Member LeMone moved to adjourn. Council Member Andersen seconded. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 7:39 p.m.

Minutes of August 25, 2015 were approved by the City Council on September 15, 2015.

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Kathy T. Kresser, City Recorder

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