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2
3 PLEASANT GROVE CITY
4 PLANNING COMMISSION MEETING MINUTES
5 October 22, 2020
6

7 **PRESENT:** Chair Todd Fugal, Commissioners Lisa Coombs, Jim Martineau, Dustin Phillips, Peter
8 Steele
9

10 **EXCUSED:** Commissioners Bobbi Jo Blake, Tim Clyde, and Jeffrey Butler; Rylee Hall, City
11 Planner; Matt Redmon, City Engineer
12

13 **STAFF:** Daniel Cardenas, Community Development Director; Kara Kresser, Planning Assistant;
14 Lauren Droubay, Planning Tech
15

16 Chair Fugal opened the regular session at 7:00 p.m.
17

18 **Commission Business:**
19

20 1. **Pledge of Allegiance:** Commissioner Phillips led the Pledge of Allegiance.
21

22 2. **Opening Remarks:** Commissioner Steele gave the opening remarks.
23

24 3. **Agenda Approval:**
25

- 26 • **MOTION:** Commissioner Coombs moved to APPROVE the agenda as part of the
27 public record. Commissioner Martineau seconded the motion. The Commissioners
28 unanimously voted "Aye". The motion carried.
29

30 4. **Staff Reports:**
31

- 32 • **MOTION:** Commissioner Phillips moved to APPROVE the Staff Reports with the
33 correction in the staff report for item 2. Where it states for each additional 10 dBs
34 measured, the sound will be 10 times as loud needs to be changed to for each additional
35 10 dBs measured, the sound will be twice as loud. Commissioner Coombs seconded
36 the motion. The Commissioners unanimously voted "Aye". The motion carried.
37

1 **5. Declaration of Conflicts and Abstentions from Commission Members:** There were none.

2
3 **ITEM 1 – Public Hearing to Consider the Request of Matt Gertge to Amend City Code Section 10-**
4 **14-24-3D: The Grove Interchange Subdistrict, Permitted Uses by Expanding the Permitted Uses to**
5 **Include #7393 Golf Driving Ranges Only within the Grove Zone and Limited to the Interchange**
6 **Subdistrict. SAM WHITE’S NEIGHBORHOOD**

7
8 Community Development Director, Daniel Cardenas presented the request of Matt Gertge to amend
9 City Code Section 10-14-24-3D. He displayed an aerial map of the area and noted that The Grove
10 serves as the gateway to the City the I-15 interchange and is known for its high architectural standards
11 and landscape designs.

12
13 The purpose of The Grove Interchange Subdistrict is to promote the development of a regional center
14 for retail, hotel and convention, as well as professional offices with high-quality architecture and site
15 design. Pleasant Grove City lists several permitted uses in the zone to create opportunities for the
16 City to collect sales tax revenue. Director Cardenas noted that the Planning Commission was not
17 currently discussing a future proposal but the feasibility of adding Golf Driving Ranges to the list of
18 permitted uses in The Grove Interchange Subdistrict.

19
20 Commissioner Phillips noted that driving ranges typically have large wooden posts and netting. He
21 wondered if staff had considered whether those design elements fit into the high architectural
22 standards of the area. Director Cardenas reported that staff considered the design standards but the
23 proposal was not currently at that stage.

24
25 The applicant, Matt Gertge was present representing the developer and buyer for the project. He
26 noted that the concept was presented to the City Council who wanted to see it presented again in the
27 future when the application was ready and the amendment has been made.

28
29 Chair Fugal opened the public hearing. There were no public comments. Chair Fugal closed the
30 public hearing closed the public hearing and invited the Commission to either continue the discussion
31 regarding this item or that he would entertain a motion if no further discussion is necessary.

32
33 Chair Fugal discussed Commissioner Phillips’ comment regarding appearance. He felt that the
34 driving range should be designed in a manner that does not negatively impact the area. Commissioner
35 Phillips noted that the land had been described as the jewel of the area. He had concerns about how
36 things like netting and chain link fencing would appear. Commissioner Coombs commented that
37 there are other driving ranges in the City that look beautiful. She recognized the concerns but felt
38 that the Planning Commission would have enough design input to ensure that the driving range meets
39 City standards. Chair Fugal agreed and noted that there were design standards in place for The Grove
40 Interchange Subdistrict and they would all need to be met. Director Cardenas noted that staff was
41 working on more descriptive design standards for the zone.

1 Commissioner Steele did not feel that a driving range would be compatible with the vision for the
2 zone. Even with high-quality materials and design standards, he did not believe it would fit into the
3 area. It was noted that the view of the driving range would vary based on orientation. From one side,
4 green grass may be visible and from another side, fencing and netting may be visible. The
5 Commissioners believed the look and feel of the area were important to maintain. Chair Fugal
6 commented that the appearance of a driving range could vary dramatically based on design. He felt
7 it was appropriate to add Golf Driving Ranges to the list of permitted uses but noted that it may be
8 difficult to meet the necessary design standards for the area in the future.

9
10 **MOTION:** Commissioner Coombs moved that the Planning Commission forward a
11 recommendation of approval to the City Council for the proposed amendments to City Code Section
12 10-14-24-3D: The Grove Interchange Subdistrict, Permitted Uses by adding use #7393 Golf Driving
13 Range; and adopting the exhibits, conditions, and findings set forth in the staff report. Commissioner
14 Martineau seconded the motion. Vote on motion: Chair Fugal-Aye, Commissioner Martineau-Aye,
15 Commissioner Coombs-Aye, Commissioner Steele-Nay, Commissioner Phillips-Nay. The motion
16 carried 3-to-2.

17
18 **ITEM 2 – Public Hearing to Consider the Request of Granny B’s Cookies for a Conditional Use**
19 **Permit to Allow the Processing, Manufacturing, Delivery of Bakery Products (Use #2150 Baker**
20 **Products) on Property located at approximately 350 West Center Street, in the Downtown Village**
21 **Zone – Commercial Subdistrict. LITTLE DENMARK NEIGHBORHOOD (Continued from**
22 **10/8/20).**

23
24 Director Cardenas presented the request of Granny B’s Cookies for a Conditional Use Permit. He
25 reported that Bakery Product (Use #2150) is listed as a Conditional Use in the Downtown Village
26 Zone – Commercial Subdistrict. Approval was subject to City Code 10-2-4, Conditional Use Permits.

27
28 Background information was shared about the previous Code change. Director Cardenas reported
29 that one year ago, the Planning Commission and City Council decided to add manufacturing as a
30 Conditional Use in the Commercial Subdistrict. The Conditional Use Permit would ensure that
31 manufacturing can coexist with single-family residential dwellings. A business will first need a
32 Building Permit, then a business license, followed by a Conditional Use Permit. Granny B’s Cookies
33 submitted an application for a Business License but it had not yet been granted.

34
35 Director Cardenas displayed renderings of the building area and described the layout. He reported
36 that there was a loud noise coming from the pipes that exceeds the permitted noise limits. It is
37 considered a nuisance and violates City Code. The noise could not be heard from inside the building
38 but could be heard from nearby neighborhoods. Director Cardenas reported that the noise had been
39 an issue since the business started operating. He stated that the business needs to meet the conditions
40 of the Conditional Use Permit and mitigate any negative impacts on the neighborhood and
41 surrounding area. Staff had received numerous concerns and complaints regarding ongoing noise
42 issues.

1 Following the previous Planning Commission meeting, staff met with the public and the applicant.
2 Granny B's Cookies was given seven days to determine how to mitigate or reduce the noise. Director
3 Cardenas reported that it has been 14 days since the last meeting and the factory has been operating
4 every day since without a business license. They were permitted to operate between 7:00 a.m. and
5 10:00 p.m. for seven days but the noise has still been an issue. Another concern pertained to delivery
6 trucks on residential streets. Director Cardenas stated that some of the trucks have parked on public
7 streets in front of residences. He noted that Granny B's Cookies has enough room for deliveries and
8 this could not continue.

9
10 Staff determined that without noise mitigation techniques, the use should not be permitted. The noise
11 produced is beyond typical noise found in residential areas. Staff recommended the Planning
12 Commission deny or continue the Conditional Use Permit until the applicant can mitigate or eliminate
13 the nuisance for the surrounding residential areas.

14
15 The applicant, Duane Roper, was present representing Granny B's. He reported they agreed to the
16 operating hours of 7:00 a.m. to 10:00 p.m. They hired engineers, architects, mechanical companies,
17 and oven manufacturers to help find a solution to the noise. They were unable to get an engineer or
18 architect to sign off on temporary walls or structures around the vents because they could potentially
19 blow off in strong winds. If the City and City Attorney were willing to sign a Waiver of Liability,
20 Granny B's Cookies was willing to construct a wall around each vent.

21
22 Mr. Roper reported that they found a potential solution with silencers, which are similar to a muffler
23 on a car. The silencers were ordered and would take three to four weeks to manufacture and five to
24 seven days for delivery. A company had already been hired to do the installation. Mr. Roper noted
25 that installation will be a lengthy process as each silencer weighs approximately 80 pounds. He
26 provided information on what the silencers would do to reduce the decibel level. Another option was
27 to install a steel sound wall on the east side of the building. Mr. Roper reported that it would take
28 approximately eight weeks to fabricate depending on the design. He felt that the silencers were the
29 best short and long-term solution.

30
31 Director Cardenas agreed that the operating hours of 7:00 a.m. to 10:00 p.m. were agreed upon but
32 noted that those hours were only permitted for seven days. Granny B's Cookies continued to follow
33 those hours the following week.

34
35 Mr. Roper explained that if an architect or engineer had been willing to sign off on a structure around
36 the vents, they would have begun the process. They did not want one of the walls to come off or
37 cause damage during high winds. Mr. Roper stated that the acoustic engineer was also unsure whether
38 a sound wall would solve the noise problem. That was the reason the silencers had been ordered. As
39 soon as they are installed, Granny B's Cookies would reach out to the neighbors for feedback.
40 Commissioner Martineau wondered if a parapet retaining wall had been considered. Mr. Roper
41 confirmed that it had but reported that the roof was not strong enough to support one.

42
43 Based on the information provided to the Planning Commission, it was expected to be approximately
44 five weeks until the silencers are installed. Mr. Roper reported that they asked the company to
45 expedite the manufacturing process and were willing to pay extra for it. He wanted the business to
46 remain operational in the meantime as this is their busiest time of year. Mr. Roper noted that only six

1 of the eight vents are making noise. The other two vents are hood vents that can be found in any
2 restaurant.

3
4 Chair Fugal opened the public hearing.

5
6 *Michael Davis* lives nearby Granny B's Cookies and his back fence faces the roof. He believed that
7 the applicant had seven days to come up with a solution after the last Planning Commission Meeting
8 and seven days to evaluate the solution implemented. Mr. Davis stated that he has had to listen to the
9 factory for the last several months. He has ringing in his ears that keeps him awake at night. Mr.
10 Davis and his wife are also experiencing headaches daily. He worried that his wife and daughter will
11 sustain permanent hearing damage due to the noise from the factory. The noise can be heard
12 throughout his home, even in the basement when the TV is on. He noted that the applicant mentioned
13 being neighborly but good neighbors did not negatively impact the health and well-being of other
14 neighbors.

15
16 *Liz Young* lives off of 300 West and continues to hear noise inside her home. She believed the
17 applicant had seven days to come up with a solution and seven days to implement it. She commented
18 that it was heartbreaking to think about facing another five weeks of noise. She wondered if she
19 should call the authorities to report the excess noise because it is a nuisance. Ms. Young reported
20 that she had tried earplugs both inside and outside her home but she could still hear the noise generated
21 from the factory. She is constantly trying to cover the noise with more noise. Ms. Young hoped the
22 factory would cease operations until all noise concerns have been addressed.

23
24 *Lacie Liu* appreciated the fact that Granny B's Cookies has made an effort to find a solution to the
25 noise. However, neighbors are frustrated because the business has been operating without a business
26 license. The neighbors have been suffering because of the excessive noise for months. Ms. Liu felt
27 that residents were being punished because of the business. She did not feel that she could listen to
28 the noise for another five weeks. Ms. Liu understood that Granny B's Cookies is trying to be good
29 neighbors but they were not being good neighbors. She noted that the company has not yet apologized
30 for the noise.

31
32 *Taylor Boyer* lives close to the factory and was initially upset about the noise. He stated that it is
33 quite loud, especially when living in an older home. He initially reached out to Granny B's Cookies
34 and received a response from the applicant. Since then, Mr. Roper had kept Mr. Boyer updated on
35 the progress. Mr. Boyer hoped his neighbors would consider that Granny B's Cookies has been
36 responsive to all of the complaints. He noted that the building wasn't originally designed to be a
37 bakery and the company seemed willing to make an effort to reduce the noise. Mr. Boyer felt that
38 Granny B's Cookies wanted to be good neighbors.

39
40 There were no further public comments. Chair Fugal closed the public hearing and invited the
41 Commission to either continue the discussion regarding this item or that he would entertain a motion
42 if no further discussion is necessary.

1 Chair Fugal noted that the Planning Commission is in a unique position because the business is
2 operating during discussions regarding a Conditional Use Permit. Normally, with these types of
3 applications, the Planning Commission tries to think of possible impacts and how to mitigate them.
4 With Granny B's Cookies already operating, the impacts are clear. Chair Fugal read the conditions
5 of a Conditional Use Permit and stated that City Code 10-2-4 allows Conditional Use Permits to be
6 approved if the following conditions are met:

- 7
8 1. A Conditional Use Permit may be granted if the subject use will not be detrimental to
9 the health, safety, or general welfare of persons residing in the vicinity or injurious to
10 property in the vicinity.
11
- 12 2. A proposed Conditional Use shall be detrimental to the health, safety, or general
13 welfare of persons residing in the vicinity or injurious to property in the vicinity, if:
14
 - 15 a. The use will cause unreasonable risks to the safety of persons or property
16 because of vehicular traffic or parking, large gatherings of people, or other
17 causes;
18
 - 19 b. The use will unreasonably interfere with the lawful use of surrounding
20 property;
21
 - 22 c. The use will create a need for essential city services which cannot be
23 reasonably met; and
24
 - 25 d. The use will in any other way be injurious to property in the vicinity. (Ord.
26 2000-23, 7-18-2000).
27

28 Chair Fugal believed the use is currently injurious to those surrounding the building. The noise could
29 eventually be mitigated but it had been going on for months and could continue for another month.
30 Chair Fugal supported denying the Conditional Use Permit until the applicant comes into compliance.
31

32 Commissioner Phillips noted that the options are to approve, deny, or continue the item. If the
33 Planning Commission chooses to continue or deny the item, the noise will cease. Chair Fugal noted
34 that the Planning Commission does not have the authority to stop the noise as they are not an
35 enforcement agency. Commissioner Phillips believed the benefit of a continuance rather than a denial
36 was that the applicant would be further along in the process. This would allow Mr. Roper to save
37 time and open the bakery sooner. The Planning Commission discussed enforcement. Director
38 Cardenas clarified that it would be up to Code Enforcement or the Police Department to ask the
39 applicant to cease operations. Commissioner Phillips believed the applicant would comply.
40

41 Commissioner Coombs wondered how long staff had been aware of the noise issues. Director
42 Cardenas reported that neighbors sent complaints a few months back and he then reached out to the
43 business. Commissioner Coombs commented that the company has been aware of the noise issues
44 for a while. Mr. Roper explained that Director Cardenas let him know there was an issue

1 approximately four weeks ago. One neighbor reached out prior to that. At that point, he did not know
2 if it was an issue with the compressor or one of the coolers. Mr. Roper reported that Granny B's
3 Cookies began testing the ovens in mid-August.

4
5 Mr. Roper stated that Granny B's Cookies applied for a Business License on August 10, 2020, and
6 they were currently waiting on the City. The freezer being built inside requires fire suppression and
7 the Fire Department wanted to wait until that was completed. Mr. Roper noted that the only issues
8 holding up the business license were final inspections from the Building and Fire Departments.
9 Commissioner Phillips commented that applying for a business license differs from receiving a
10 Business License.

11
12 Chair Fugal shared that after the previous Planning Commission Meeting, he drove around the
13 neighborhoods near Granny B's Cookies. He commented that he would not want to live with the
14 noise. He noted that in many areas, the noise level is an infraction. The silencers may work to solve
15 the noise issues but he did not think it was appropriate to allow the noise to continue. The Commission
16 discussed the difference between a continuance and a denial. Some felt a denial was more appropriate
17 and some believed a continuance would be best. The Planning Commission discussed the number of
18 meetings remaining in the calendar year. Director Cardenas noted that if the issue was pressing, the
19 applicant could pay a \$500 fee and get the Planning Commission to convene a quorum. This could
20 occur 10 days after the application is submitted in order for the appropriate notices to be sent out.

21
22 Jeff Logan from Granny B's Cookies reported that the business will not survive if it is shut down. He
23 noted that they invested heavily in the property to turn it into a bakery and were actively working to
24 resolve all of the outstanding issues. If the business is shut down temporarily, they would be unable
25 to deliver harvest or holiday cookies to their customers. Mr. Logan believed the bakery would close
26 permanently as a result. He noted that when they began testing the ovens, they believed they were
27 within the bounds of the legal requirements that had been set.

28
29 Director Cardenas commented that the neighbors had no issue having the factory nearby but the noise
30 has to stop. He felt that temporary measures should be explored while waiting for the silencers to
31 arrive. Director Cardenas reported that neighbors also submitted photos of delivery trucks parked on
32 residential streets. He believed something needed to be done about the issue as well. Mr. Roper was
33 willing to look into temporary measures and commented that he would deal with the delivery trucks
34 immediately.

35
36 Chair Fugal appreciated the position of Granny B's Cookies but noted that the noise was causing
37 harm to the neighbors living nearby. There was discussion regarding possible ways to mitigate the
38 noise on a temporary basis. Commissioner Martineau believed there were many possible solutions
39 and offered some suggestions. He felt it was important to begin immediately to determine what might
40 work. Chair Fugal pointed out that it was not up to the Planning Commission to list possible solutions.

41
42 Commissioner Coombs wondered if operations would be allowed to continue if temporary noise
43 mitigation does not work. Director Cardenas clarified that if the Planning Commission denies or

continues the Conditional Use Permit application, Granny B's Cookies would need to cease operations until all issues are mitigated. He offered to help the applicant with next steps.

MOTION: Commissioner Phillips moved that the Planning Commission continue the request of Granny B's Cookies for a Conditional Use Permit to allow Use #2150 Bakery Product (processing, manufacturing, and delivery), on property located at approximately 350 West Center Street, in the Downtown Village Zone – Commercial Subdistrict, indefinitely, based on the following conditions:

1. The noise issues must be resolved to the satisfaction of the Community Development Director; and
2. Delivery trucks must use parking on site.

Commissioner Steele seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

ITEM 3 – Public Hearing to Consider Amendments to City Code Section 10-11-D-16: Multiple-Family Residential Development Requirements, Creating a Possible Commercial/Retail Only Buffer for Properties located in the CS-2 Zone with Frontage along State Street. CITY WIDE (Continued from 10/8/20)

Director Cardenas presented the staff report and stated that the Code as written states that, "Multiple-family developments may be incorporated into projects containing thirty (30) or more acres, provided a minimum of fifty-five percent (55%) of the project's buildable land area (area remaining after public street dedication) is developed in commercial land uses, which may include retail and office type uses. Multiple family developments shall have a minimum land area of three (3) acres and a maximum land area of twenty (20) acres. Commercial uses are preferred." Director Cardenas wanted to clean up the language and add clarity to the Code.

The proposal includes new language to clarify the amount of acreage dedicated to commercial and residential uses in the zone as well as the location of the residential projects. It would continue to allow residential projects in the zone as infill developments. When a property fronts a certain type of street, a commercial buffer is created. Director Cardenas and legal staff came up with the following language:

'Multiple-family developments may be incorporated into projects only as infill developments. Residential uses shall not be located on properties fronting any State Highway, Major Arterial Road, Urban Minor Arterial and/or Industrial Arterial Roads, within a buffer of at least 224 feet from the property line along the public street. In addition, residential uses shall not occupy more than forty-five percent (45%) of the buildable land area (area remaining after public street dedication) of the zoning district in which the project is located.'

1 Commissioner Steele suggested defining the zoning district to make it clearer. Director Cardenas
2 stated that they could add, "see map attached," to clarify the zone districts.

3
4 Chair Fugal opened the public hearing. There were no public comments. Chair Fugal closed the
5 public hearing and invited the Commission to either continue the discussion regarding this item or
6 that he would entertain a motion if no further discussion is necessary.

7
8 **MOTION:** Commissioner Steele moved that the Planning Commission forward a recommendation
9 of approval to the City Council for the proposed amendments to City Code Section 10-11-D-16-A:
10 Multi-Family Residential Development Requirements in the CS-2 Zone; and adopting the exhibits,
11 conditions, and findings of the Staff Report, and as modified by the conditions below:

- 12
13 1. All Final Planning, Building, Engineering, and Fire Department requirements are met.
14
15 2. A map shall be attached outlining the boundaries of each zoning district.
16

17 Commissioner Coombs seconded the motion. The Commissioners unanimously voted "Aye". The
18 motion carried.

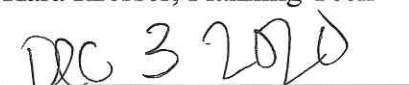
19
20 **ITEM 4 – Review and Approval of the Minutes from October 8, 2020, Planning Commission Meeting**
21 **and September 8, 2020, Joint Planning Commission and City Council Meeting.**

22
23 **MOTION:** Commissioner Coombs moved that the Planning Commission APPROVE the minutes
24 of the October 8, 2020, Planning Commission Meeting and September 8, 2020, Joint Planning
25 Commission and City Council Meeting. Commissioner Phillips seconded the motion. The
26 Commissioners unanimously voted "Aye". The motion carried.

27
28 **MOTION:** Commissioner Coombs moved to adjourn the meeting at 8:40 p.m. Commissioner Steele
29 seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

30
31
32 
33 Planning Commission Chair

34 
35
36 Kara Kresser, Planning Tech

37 
38
39 Date Approved

Daniel Cardenas

From: Duane Roper <duane@grannybs.com>
Sent: Monday, October 19, 2020 2:35 PM
To: Daniel Cardenas; Rylee Hall
Cc: Jeff Logan; Scott Esplin
Subject: Granny B's Cookies Follow Up
Attachments: CS-853 Pressure Blower Silencers.pdf

Daniel and Rylee,

Thank you for taking the time to speak with me this morning. Per our discussion, over the last week we have used the services of our architects, different engineers and their teams, mechanical service companies, and the oven installation company to look for possible solutions to the noise being generated from the oven exhaust fans. We also removed the vent caps and other inhouse ideas with limited noise reduction benefit. We feel we have researched all the practical options for reducing the noise and arrived at the best solution.

At the recommendation of our oven experts and confirmed by our architect and engineer, we have determined that Pressure Blower Silencers are the right solution to reduce the noise being generated. We have purchased the Silencers at a large expense, and we have been told that the fabrication process takes 4 Weeks, with ship time of 1 week and then the installation which will take 4-5 days by the Mechanical Service Company which we have lined up. Attached is a copy of some information on the Blower Silencers which are like a muffler on a car and how it helps with the reduction of noise coming out of the engine. Based on all our research and work, this solution will reduce the noise and be the best near-term and long-term option.

We have honored our commitment from the Planning Commission Meeting to have the ovens not turned on before 7:00 AM each morning and have them off prior to 10:00 PM. [Honoring this commitment has come at a high cost as we have had to cancel orders.] We have also used all of our resources and efforts to find a solution that is safe and within a reasonable timeline. As stated during the Planning Commission Meeting, we are committed to be good neighbors and hope that all involved will recognize our efforts after only a week.

Thank you,

Duane Roper
Vice President of Sales
Cell Phone: (801) 580-2001

From: [Kristine Mortenson](#)
To: [Daniel Cardenas](#)
Subject: Cookie Factory Noise
Date: Monday, October 19, 2020 12:05:45 PM

As one of the families that live close to the cookie factory, I too have noticed the noise louder than even a week ago.

I would like to say I am happy for new business to come to Pleasant Grove but this is something that should have been considered before this was approved last Nov. and brought into a residential neighborhood.

I am anxious to see a solution resolved and as quick as possible. There is no sleeping in passed 6 o'clock am.

Kris Mortenson


From: [Michael Davis](#)
To: [Daniel Cardenas](#)
Subject: Cookie Factory
Date: Saturday, October 17, 2020 8:05:03 AM

Mr. Cardenas,

Granny B's cookie factory has started their ovens again this morning. They've been running with no apparent modification all week. Starting from Friday, seven days from last week's meeting would have been Thursday. The ovens were running yesterday and they're going to be running all day again today, it seems. This is now nine days since the meeting, and it's apparent that Granny B's intends to run full tilt in violation of the commission's order until they're shut down.

Granny B's was first told about this noise issue at least six weeks before last week's meeting. One of our neighbors went and personally told them this was a problem. I personally notified them myself at least a week before the meeting. This is an issue they've known about for a long time and they've done nothing to abate their noise.

Even with them running within the limits specified by the noise ordinance, this is a major disruption to my life and my family's lives as well. My kids can't get to sleep on time, and I'm constantly exhausted, even at work. With few exceptions, my family and I haven't had a decent night's sleep in the past three months, and I'm sure most of the rest of the neighborhood hasn't either. The noise is a constant and unavoidable irritation both inside and outside my house.

Will you please contact Granny B's and insist that they shut down those ovens since they've apparently made no modifications in the week they were granted? This entire neighborhood has been more than patient with their noise.

Thank you,
Michael Davis

From: [Becky Johnson](#)
To: [Daniel Cardenas](#)
Subject: Fwd: Noise abatement-granny B
Date: Saturday, October 17, 2020 4:06:49 PM

Sent from my iPhone

Begin forwarded message:

From: Becky Johnson [REDACTED]
Date: October 17, 2020 at 2:12:08 PM MDT
To: dcardenas@pgcity.com
Subject: Noise abatement-granny B

My name is Becky Johnson and my home is on [REDACTED] Grove.

(I was not able to attend the meeting that was held, but had hoped to watch it online, I found it was not available.)

The noise has not decreased but has increased. The noise, since the meeting, has stayed within the noise ordinance time frame. To which I have been grateful and annoyed at the same time. Grateful, that it does not start as early, but it has gone A LOT later than it used to. (All within ordinance time frame). It sometimes goes until the very last second.

At 7am the swelling sounds begin, then becomes constant ranging in pitch from an F-sharp to an E-flat. Imagine being inside my home, almost a block away and the constant tone can be heard over the television. (Which has been turned up louder to drown it out.) it is almost worse than tinnitus,(which my husband already has Before Granny's even showed up).

Please be aware things have not gotten better, but it has gotten worse. Please help. Please come hear it for yourself!!

Becky Johnson.

Sent from my iPhone

From: [C. JEFFREY BELLISTON](#)
To: [Daniel Cardenas](#)
Subject: Granny B Cookie noise
Date: Monday, October 19, 2020 7:25:09 AM

Daniel,

At the last city meeting regarding the noise from Granny B Cookies, you told us they would be given one week to fix the noise. We are very disappointed that there has been no improvement and the noise continues this morning even though the week was up last Thursday.

Are they going to be allowed to continue running even with no fix the rest of this week? What was the point in giving them a week if nothing has been done to stop the noise and they continue running?

Sincerely,

Jeff and Bonnie Belliston



From: [Shannon Graff](#)
To: [Daniel Cardenas](#)
Subject: Granny B's Cookies
Date: Monday, October 19, 2020 9:24:22 PM

Hello, my name is Shannon Graff and I live at [REDACTED], Pleasant Grove. I wanted to email you to let you know how the noise from Granny B's cookie factory is affecting my family's health. My daughters are suffering from daily headaches and complain that their ears are hurting from the noise. My Husband is at work most of the day but as soon as he arrives home, his ears ring from the constant noise from the factory. The constant ringing in is ear from the factory noise is starting to effect his ability to work. I am suffering from constant migraines, dizziness, nausea, and constant pressure in my head. We can not afford to move into a different area right now, but have looked into it because of the constant noise. We have tried staying with family during the day when it becomes overwhelming. We have an evaporative cooler on our roof and the noise echoes down into our house. It breaks my heart that the home my husband and I have tried to make into a safe place to raise our daughters, is the very place that is making us sick.

From: [Lorna Loy](#)
To: [Daniel Cardenas](#)
Subject: Granny B's Cookie Factory: Complaint
Date: Thursday, October 22, 2020 2:10:34 PM

Mr. Cardenas,

I reside close to the cookie factory, Granny B's.



I have attended the town council meeting two weeks ago. I made my thoughts, feelings, and experiences known at that time. To say the least, I am not satisfied with the efforts and results so far. It is an extremely frustrating experience.

The noise started early on for me. It was off and on at first. I could not figure out what the problem was, it started in May. Again, early on the noise was off and on. Then in June, it became consistent. By July, it was intolerable. The noise I hear is:

- the noise is whistling
- the noise is ringing
- the noise is a constant humming
- the tone is piercing
- the tone is harsh
- the tone is brassy

The noise is can be heard at different times:

- any time or consistent between the hours of 5 AM to 11 PM
- time varies
- Pretty consistent from 7 AM to 11 PM
- Some Sundays the noise is turned down to a low audible decibel but still can be heard.

At first, the constant humming or ringing continued in my ears long after it was shut off or turned down to a lower tone or volume. Then when the noise would go on through the night, I would wake up in the middle of the night with an anxious feeling. I could not go back to sleep for up to four hours some nights. Other times. the noise would begin early in the morning. The noise would wake me up as early as 5 or 6 AM. The noise would shut off late and start early. I was not getting enough sleep at night. I was tired all day and irritable. The headaches started. The anxiety increased. The ringing is persistent. All this taking a toll on my overall health and well-being. It is also affecting my work production and concentration.

This is the same for the rest of my family. There are five adults living in our home. My husband and daughter are teachers and it is impacting their health. They have enough stress and anxiety in dealing with COVID, online schooling, and other educational changes and challenges in these unusual times. I work at home, I am unable to concentrate, I am unable to carry on a conversation without distraction from the noise. The people on the other end of the phone can hear the noise. They ask me if I am at a factory. I have to leave my home to take a break from the noise. No one should have to leave their home. Our homes are our sanctuary. This is no longer the case. If I wanted to move, that may not be possible. No one will buy my home with such deafening noise nearby. I am sure my home will not be worth much nor will it

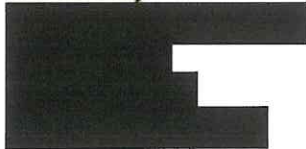
sell easily - if at all.

Factories have a responsibility to ensure that their buildings are soundproof. Noise pollution from GrannyB's cooking factory has had a negative impact on our bodies, mind - including elevated blood pressure, impaired cognitive functioning, cardiovascular and psychophysiological effects - all causing reduced performance, lack of sleep, changes in our social behavior, and stress levels.

I would like the city to take action by shutting down the factory immediately. The factory has already been giving several days to resolve the issue. It has not been done. The factory should not operate if they cannot use building materials and equipment that follow safety guidelines and rules. I vote to terminate the license. I wish it did not have to work out this way but I have to place a priority on the human health of our neighborhood.

Sincerely,

Lorna Loy



From: [Michael Davis](#)
To: [Daniel Cardenas](#)
Subject: Granny B's effects on health and usability of property
Date: Monday, October 19, 2020 2:01:39 PM

Mr. Cardenas,

I went over to speak to the owner at Granny B's this morning. I told him they were supposed to have implemented noise correction seven days after the last meeting, and that (starting on Friday, the day after the meeting) this is day 11. I asked him what solutions had been implemented. He said that parts were on order. In other words, no solution has been implemented, and contrary to the order of the commission, the plant is continuing to run with no modification.

I told the owner that my ears began ringing constantly yesterday, even when the ovens are shut off. I was unable to sleep last night because of the ringing. I told the owner that my wife and kids and I are experiencing daily headaches. I told him I haven't had a good night's sleep in three months now. I told him this is about to start impacting my ability to do my job, and it's impacting my health and that of my family. I said that I can't go on like this, and I'm sure that most of the neighborhood feels the same way. His response was that they want to be good neighbors, but there's nothing they can do.

My house is now uninhabitable; my wife is having to take the kids to her mother's house in another town just to get them away from the noise. Given the constant ringing in my ears and the daily headaches my family are suffering, my health and that of my family is now being affected. My hearing is critical to my employment as a full-time linguist in the Army; my ability to provide for my family is now being affected. My kids are being affected in that they're unable to do their homework, and given the new schedule they have that includes days at home doing schoolwork remotely because of COVID-19, their education is about to suffer as well.

Please let the council know that Granny B's needs to be shut down as soon as possible. The owner has had months to fix this problem. Instead, they chose to operate without a business license and now they're operating contrary to the orders of the commission.

Michael Davis


From: [Shauna DeBuck](#)
To: [Daniel Cardenas](#)
Subject: Granny B's noise
Date: Saturday, October 17, 2020 4:35:00 PM

Mr. Cardenas,

As I understood from notes from the city meeting held on October 8th, Granny B's would be controlling that hideous noise in 8 days.

As a neighbor who lives in the cul-de-sac nearest the factory, the noise is still as hideous and obnoxious as ever.

I implore you and whatever city organization has sway with this business to please enforce the ruling from that meeting and get them to cooperate and comply.

Thank you for your willingness to hear the concerns of the neighbors. We like the idea of the business in the city, but cannot best the noise much more.

Sincerely,
Shauna DeBuck



From: [Jessica Bover](#)
To: [Rylee Hall](#); [Daniel Cardenas](#)
Subject: Granny B's
Date: Thursday, October 22, 2020 8:54:23 AM

Hello Rylee and Daniel,

I'm a neighbor to Granny B's and I am looking forward to tonight's meeting. I truly hope that a resolution is reached and is mutually beneficial to the neighbors, as well as Granny B's. I truly believe that the owners of Granny B's had no intention of causing an issue, and I'm sure they are working hard to rectify this as quickly as possible. Every interaction we've had with them has been very positive. And when we initially contacted them about the issue they were extremely responsive. I hope that with any decisions made, the many employees of Granny B's are taken into consideration and how it will affect their lives as well as the neighbors. Thank you both for your time, and all your many efforts for us as residents of Pleasant Grove. Have a wonderful day!

Thank you,
Jessica

From: [Lacie Liu](#)
To: [Daniel Cardenas](#)
Subject: No noise change
Date: Monday, October 19, 2020 1:25:50 PM

Hi Daniel-

I'm not sure what's happening with fixing the noise problem with Granny B's cookies, but nothing has changed. In fact, some days it has seemed louder. On Saturday 10/17 they went from 7 am - 10 pm on the dot. So we aren't getting any shorter amount of time with the noise either. It's not starting at 5 am anymore, but it always goes later than it used to.

I really thought things were supposed to be better by now. I thought we said they had 7 days to fix it, and if they didn't then you would shut them down. And if they did fix it, we had 7 days to say if it's tolerable or not. So why aren't they shut down?

I don't want to be mean to them. However, I am frustrated that they have been operating for about 2 months now with no business license and creating a problem in the neighborhood without any punishment. Yet our neighborhood has been suffering for months and WE are the ones that continue to be punished. It's unfortunate for them, but they have had multiple opportunities to do things the right way and they haven't. Time to do something about this.

Lacie Liu


From: [Russ Johnson](#)
To: [Daniel Cardenas](#)
Subject: Noise - Granny B's
Date: Monday, October 19, 2020 9:58:48 AM

Daniel -

While I support business in PG and encourage continued business growth the noise coming from Granny B's needs to be further mitigated. I live at [REDACTED] The noise is a constant annoying hum from 0700-2200 Monday - Saturday. It disrupts the ability to have a place of peace and quiet. It disrupts families with little children, especially those with special needs. The noise increases in intensity at the end of our cul de sac at 200 N 300 W. For those families who directly border Granny B's, the constant sound is unbearable and needs to be mitigated to negligible or sadly operations need to cease immediately.

Granny B's should not have been able to begin operations without meeting acceptable noise standards.

Russell L Johnson
[REDACTED]

From: [Jean Hodges](#)
To: [Daniel Cardenas](#)
Subject: Noise abatement of Granny B Cookie Factory--September 21, 2020
Date: Tuesday, October 20, 2020 6:52:06 PM

I was told several weeks ago that the city had received numerous complaints from citizens concerning the loud irritating noise emanating from the Granny B Cookie factory. We are still hearing this non-stop noise Monday through Friday from early morning until late at night.

On the weekends the noise comes from refrigerated trucks which are running on the factory's loading docks.

I feel that giving this facility permission to operate in the middle of a residential district was very poor judgement. I want a response to my plea to stop the noise until the owners can solve their problem.

I am losing sleep over this and hate to go outside anymore.

Jean Hodges


From: [Liz Young](#)
To: [Daniel Cardenas](#)
Subject: Noise from Granny B Cookies
Date: Monday, October 19, 2020 1:44:50 PM
Attachments: [Monday Noise.mp4](#)

Daniel,

As I understand the noise was supposed to be fixed Friday morning. It has not changed other than it feels louder. I have attached a video of the noise just outside my house [REDACTED] for reference. Both Friday and Saturday and I assume will be each day going forward has been 14 hours of this noise, 14! (From 7-9pm) I sat outside on Saturday with my kids making crafts and out of curiosity wanted to see how long I could handle the noise. After 1 hour I got a headache and had to go inside only to put ear plugs in because I could still hear it in my house. I have also noticed that one of the days it had two tones, one is an Eb the other is an F note when put together it is even more obnoxious.

With the video I sent on Thursday showing that they didn't even make any changes or adjustments to the roof vents I'm not sure why they were even given extra week to see if "it" would work. It just gave them 2 weeks to run their factory so they could produce more of their products which I love but hate the noise. I could smell the cookies on Saturday as well so I know they are cooking.

Also, woke up this morning and couldn't go back to bed because I can still hear the noise in my bedroom. I'm not wanting to wear ear plugs for the rest of my life so I can have some kind of peace within the walls of my own home or the space outside in my yard. It is unacceptable of the company to operate without a business license and think it is okay to cause harmful noise to its neighbors during a "testing phase" or before it is fully operational. They have been given time to fix the issue and have not. They didn't even shut things down while a solution is created they have been constantly running their factory creating loud noises harmful to my family. Something needs to be done now.

-Liz Young
[REDACTED]

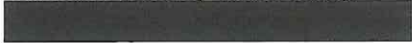
From: [Cam DeBuck](#)
To: [Daniel Cardenas](#)
Subject: Noise from Granny-B Cookies
Date: Thursday, October 22, 2020 3:31:43 PM

Can you do something about the noise that is being produced from the Granny B Cookies? It's driving me nuts being home 18 hours a day. I've been working from home for 6+ years now and never had an issue when CostumeCraze was there or AutoMeter before them. Isn't there some noise ordinance. This is crazy in how long it is taking to resolve this issue and that they were/are running before they had permits.

From: [Davison Cheney](#)
To: [Daniel Cardenas](#)
Subject: Noise from the cookie factory
Date: Monday, October 19, 2020 11:14:35 AM

We wish the business the very best. But the noise has got to go. Please do something about the noise

Davison Cheney and Family

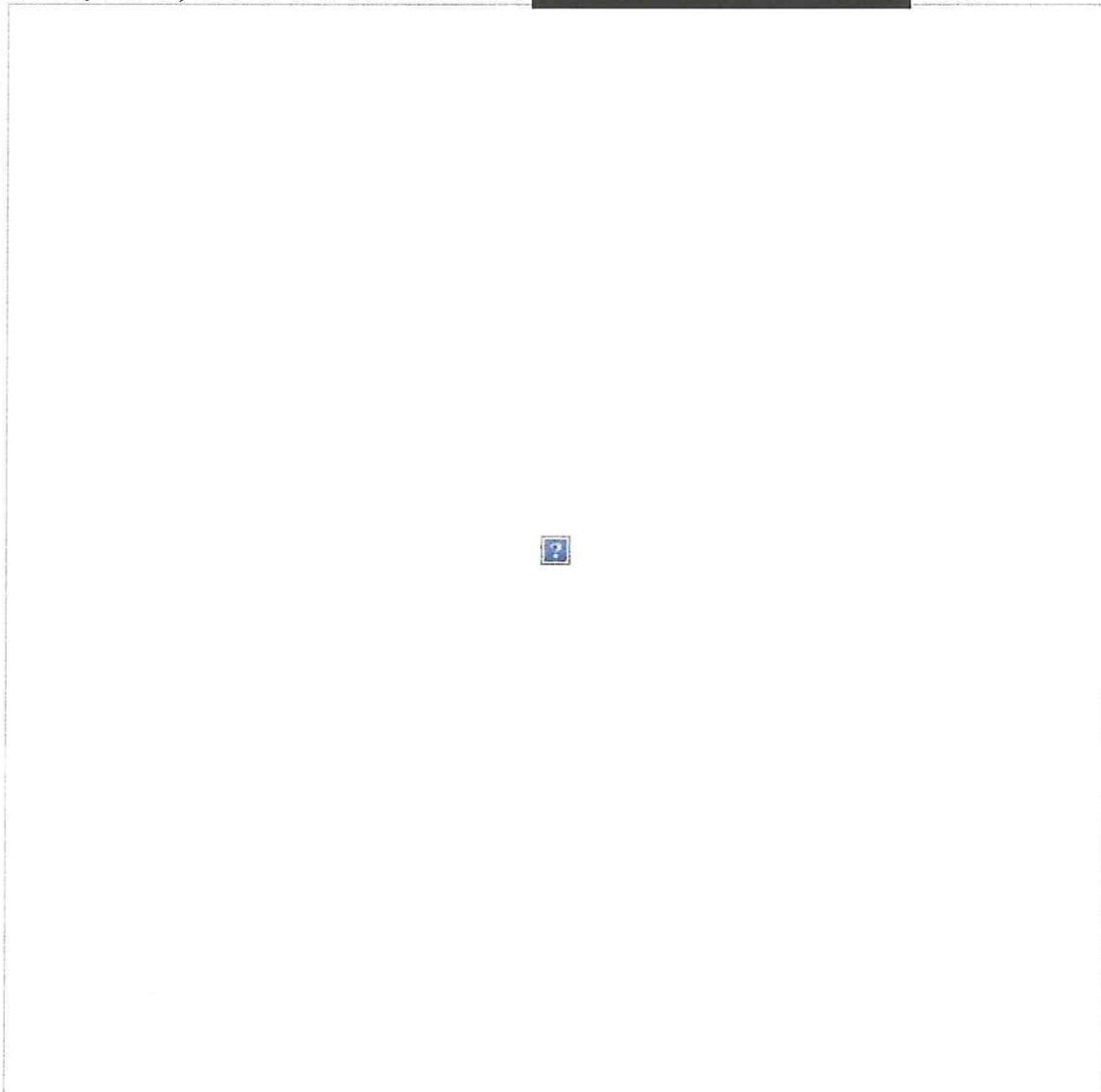


From: [Erin Baker](#)
To: [Daniel Cardenas](#)
Subject: Re: Granny B's cookie factory formal complaint
Date: Thursday, October 22, 2020 3:15:38 PM
Attachments: [IMG_0772.jpg](#)
[IMG_0755.jpg](#)
[IMG_0764.jpg](#)
[IMG_0845.jpg](#)

Another truck delivery today. Actually this is like the 4th but I didn't take pics of the earlier ones.

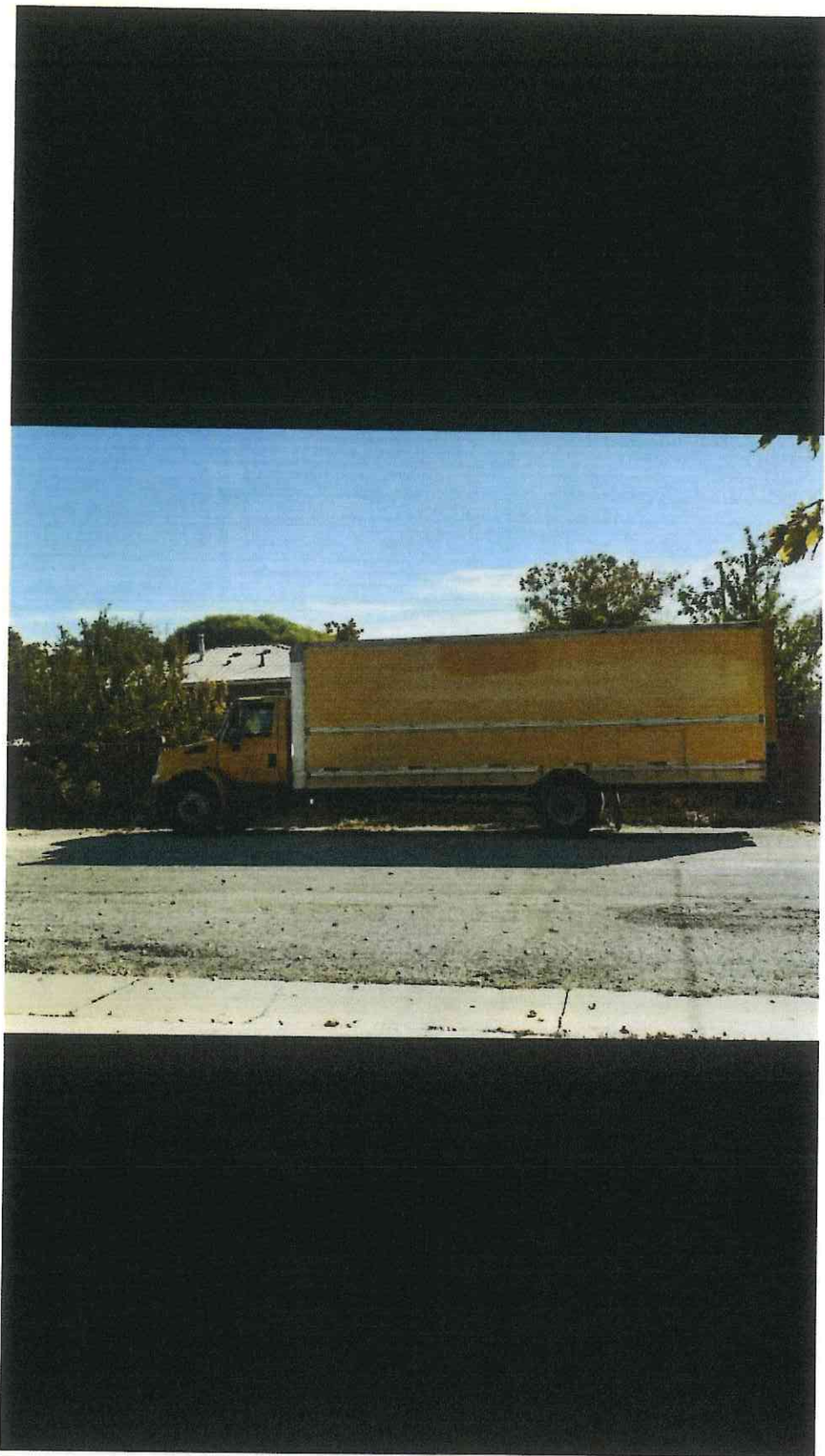


On Wed, Oct 21, 2020 at 1:46 PM Erin Baker <[REDACTED]> wrote:



Yet another delivery in front of my house.

On Wed, Oct 21, 2020 at 9:48 AM Erin Baker <[REDACTED]> wrote:

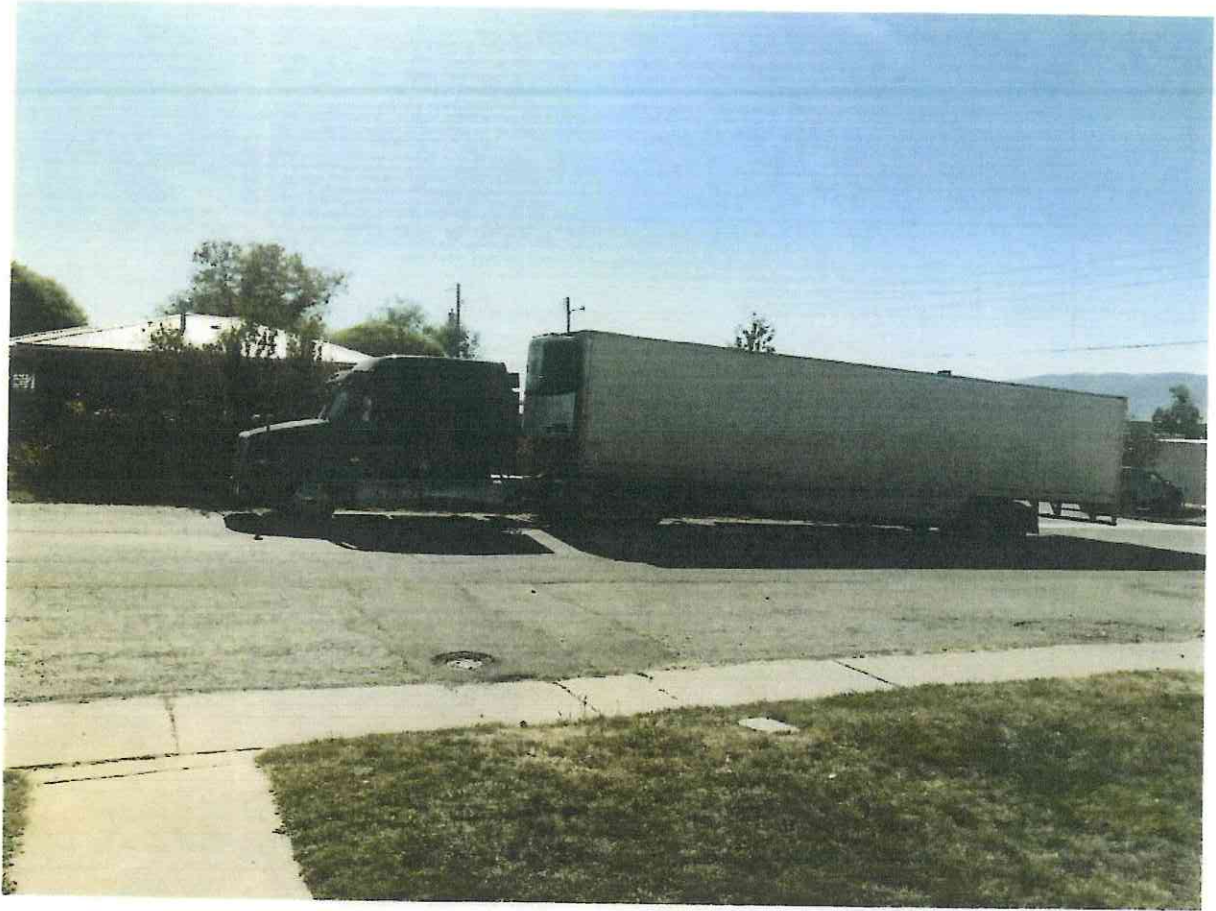




Again this morning just now a giant semi in front of my house for a cookie stuff delivery.

On Wed, Oct 21, 2020 at 7:31 AM Erin Baker <[REDACTED]> wrote:
Daniel, good morning— I wasn't thinking last night. I have a meeting at 3-5. Can you meet any earlier today? If not, I can shoot for earlier morning on Thursday.

On Wed, Oct 21, 2020 at 3:35 AM Erin Baker <[REDACTED]> wrote:





This is in front of my house, right now. I'm awake and it's 3:34 bc the cookie factory is constantly having deliveries where they're specifically not supposed to, all hours of the night, in front of my house. I am going crazy from lack of sleep!

On Tue, Oct 20, 2020 at 11:03 PM Erin Baker <[REDACTED]> wrote:
Hi Daniel, I wanted to let you know that the cookie factory shut down about 9:54pm tonight.

On Tue, Oct 20, 2020 at 9:52 PM Erin Baker <[REDACTED]> wrote:
Daniel, can you please give me a call at your earliest convenience? [REDACTED]

Granny B's just now turned off their factory tonight. It's 9:51pm. I really am at my wits end. Please if you can give me an update, hopefully it might help. This is effecting my health at this point.

On Wed, Oct 14, 2020 at 6:52 PM Erin Baker <[REDACTED]>
wrote:
Hi again Daniel, the cookie factory is going strong again and it's now 6:50 pm.



I am losing patience with this matter. Can you please call me tomorrow with an update? My head literally feels like it's imploding. This is maddening. I don't mean to be so curt, but this just has to stop somehow.

Erin Nolte [REDACTED]

On Mon, Oct 12, 2020 at 7:43 PM Erin Baker <[REDACTED]> wrote:

Hi again Daniel, here we are again, 7:42 pm and the factory is going strong. This has to stop, especially late in the evening and in the weekends. This is not okay or fair.

On Mon, Oct 12, 2020 at 6:25 AM Erin Baker

<[REDACTED]> wrote:

Hi Daniel, I just wanted to make sure you are aware that Granny B's was operating until around 7-8 on Friday night and all of Saturday. It's so frustrating to listen to that, but especially on the weekends. Thank you for all your efforts in this matter.

Erin Nolte

On Fri, Sep 25, 2020 at 9:18 AM Erin Baker

[REDACTED] > wrote:

Hi Daniel, my name is Erin Nolte. I [REDACTED] Grove, UT 84062. Recently, Granny B's has taken over the old Costume Craze building. I'm sure you already have knowledge of this. As I am all for cookie production, the factory is just far too loud at mine and my neighbor's residence. I need to file a formal complaint as soon as possible as the noise is affecting our daily lives. I have spoken with who is in charge over there, along with the police and all I hear is that the city approved this factory.

I am also majorly concerned about this affecting the value of my home and what it will look like when I go to sell. The whole neighborhood is upset-- this must be resolved. The noise is so loud that I can hear it inside my home at all times. This is not okay. Please contact me at your earliest convenience so I can take the proper steps to start resolving this maddening issue. My phone number is [REDACTED] if you should prefer to get in touch with me that way.

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Erin Nolte

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