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**PLEASANT GROVE CITY
PLANNING COMMISSION MEETING MINUTES
JUNE 27, 2024**

PRESENT: Chair Karla Patten, Commissioners Dustin Phillips, Jeffrey Butler, Alicia Redding, Kenna Nelson, Denise Trickler

STAFF: Daniel Cárdenas, Community Development Director; Jacob Hawkins, City Planner; Aaron Wilson, City Engineer; Christina Gregory, Planning & Zoning Assistant; Magali Acevedo, Administrative Assistant

EXCUSED: Commissioners Todd Fugal, Jim Martineau, Wendy Shirley

Chair Karla Patten called the meeting to order at 7:00 p.m.

REGULAR SESSION

Commission Business:

1. Pledge of Allegiance and Opening Remarks: Commissioner Kenna Nelson led the Pledge of Allegiance. Commissioner Denise Trickler offered the opening remarks.

2. Agenda Approval.

Chair Patten reported that the Agenda has one change on Item 2 which will be re-noticed for a different meeting.

- **MOTION:** Commissioner Alicia Redding moved to APPROVE the agenda with that one correction. Commissioner Jeffrey Butler seconded the motion. The Commissioners unanimously voted “Yes”. The motion carried.

3. Staff Reports:

- **MOTION:** Commissioner Redding moved to APPROVE the Staff Reports. Commissioner Nelson seconded the motion. The Commissioners unanimously voted “Yes”. The motion carried.

1 **4. Declaration of Conflicts and Abstentions from Commission Members.**

2
3 There were no declarations or abstentions.

4
5 **ITEM 1 - Public Hearing: Rezone – Located at Approximately 169 West 200 South**
6 **(Old Fort Neighborhood)**

7 Public Hearing to Consider the Request of Kevin Gurr to Apply the C-G (General Commercial)
8 Zone to approximately 2.191 acres on property currently zoned Downtown Village Commercial
9 Subdistrict Zone, located at approximately 169 West 200 South. (Legislative Item)

10
11 City Planner, Jacob Hawkins presented the Staff Report and stated that the request is from Kevin
12 Gurr to rezone a portion of his property to C-G (General Commercial). The request originally
13 came before the Planning Commission in February 2022. At that time, the request was for the
14 entire property (2.7 acres). Presently, the request involves 2.191 acres. The area to be rezoned
15 was identified on the Site Plan. The surrounding property zoning to the north and east was reported
16 as being in the Downtown Village Commercial Subdistrict Zone and the property to the west and
17 south is zoned C-G (General Commercial). The permitted uses for both zones are similar but the
18 C-G (General Commercial) allows automobile repair services, vehicle sales, commercial printing,
19 retail building materials, and animal hospital services. Warehouse storage is also permitted as a
20 Conditional Use.

21
22 Planner Hawkins noted the following:

- 23
24 • The General Plan designation for the area is Downtown and is to be a walkable area with
25 mixed-use destinations that draw people from within and outside of the City to work, dine,
26 shop, live, or play. Area changes will come from redevelopment and infill projects that are
27 intended to establish the greater Main Street area as a robust and thriving downtown.
28 • 200 South is envisioned to be a commercial and residential mixed-use area with transitional
29 residential homes.
30 • The area is impacted by designated corridors. Place Corridors were identified as major
31 streets and pathways that will establish a sense of place through design with a focus on
32 local transportation, public space, and related elements such as significant landscape and
33 street trees, furniture, trails, bike lanes, bus stations, and plazas.
34 • A Place Corridor comes through 200 South and is one of the most important Corridors in
35 the General Plan. It is envisioned to become a primary active transportation and transit
36 connector for the City's core and connect the City's major areas east to west.
37 • The downtown segment of 200 South is to contain an on-street walking trail, sidewalks,
38 and a unifying landscape theme. As further development occurs, these features will be
39 developed and refined.

40
41 Because the property is in a high-traffic area leading into Main Street and the downtown, staff
42 wants to make sure that the Downtown Village Commercial Subdistrict Design Guidelines are
43 maintained and that the approved uses are compatible with the General Plan and the surrounding
44 areas. Staff has been working with the applicant to submit a Subdivision Plat that identifies a
45 definitive boundary between the requested zones. As the applicant has not yet applied for a
46 Subdivision Plat, staff recommended that the request be denied. Community Development

1 Director, Daniel Cárdenas, confirmed that denial was recommended because a plat has not been
2 submitted for approval. Once a plat is submitted, staff recommended approval of the zone change.
3

4 Logan Gurr was present representing the applicant and provided an outline of their progress and
5 applicable code requirements for subdivision plats. He reported that when they last appeared
6 before the City Council the application was denied. He understood the denial and the City
7 Council's vision of the 200 South area. They were informed that they need to identify where on
8 the property the split of zones will be located and show what the buildings and site will look like.
9 They have been working with staff in that regard. The current buildings were identified on a photo
10 board along with another board showing three different perspectives of elevation drawings of the
11 proposed building and Mr. Gurr stated that they are ready to move forward with a better design
12 that serves both them and the City.
13

14 Mr. Gurr identified work the applicant has done and noted the following:
15

- 16 • The proposed building design has been provided to staff but has not yet been submitted.
17 The project meets the Downtown Village Commercial Subdistrict Zone requirements in
18 front of the building and the C-G (General Commercial) Zone requirements in the back.
19 The exterior building design elements are carried around the entire building.
- 20 • They have developed and produced a Site Plan showing the proposed location of the
21 boundary line. Staff recommended further work be done.
22

23 Mr. Gurr reported that he is a Planner for Utah County by profession and has stepped in to help
24 his father with this project. The most important thing to them is to get the rezone issue resolved.
25 They are also concerned about the need for a subdivision plat. It was their position that the City
26 has enough information to go forward and that they have done what was requested. Appreciation
27 was expressed to City Staff who has been very helpful; however, they do not agree that a
28 subdivision plat should be required for a zone change. They understand that staff wants that done
29 as it is a best practice that makes things clean, it makes it easier to see the history of the
30 development with the property, but they considered the plat requirement to be an extra step and
31 expense they do not believe is needed. Mr. Gurr further maintained that State Code, which governs
32 when a subdivision plat is required, does not require a plat for this development. Asking them to
33 have two lots to create the zoning boundary results in the placement of a property line through the
34 middle of the building. For that reason, they have not yet submitted or applied for a plat.
35

36 Greg Robinson, a colleague of Mr. Gurr and a planner with 20 years of experience, expressed
37 support for the applicant on the subdivision plat issue. He stated that a subdivision, by State Code,
38 is required when subdividing a property. In this case, the applicant is not subdividing but rather
39 combining parcels to make one. As defined, the State Subdivision Code regarding subdivisions
40 does not include joining parcels. What the applicant seeks to do can be done through a recorded
41 deed. He proposed that a deed could clean up any boundary line issues and overlaps. The applicant
42 has already assumed a lot of expense to develop the property and is willing to meet all the necessary
43 City requirements for the zone and the development. Mr. Robinson felt Mr. Gurr was being asked
44 to do something that is not required by State Code or Pleasant Grove Ordinance.
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46 The following points were discussed:

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- Commissioner Redding asked if the main reason the applicant does not want to do a plat is because it is not a requirement. Mr. Robinson stated that it was one of the main reasons, but there also is an expense and another approval that they have to go through. He claimed that they are being asked to do more than is required.
- Commissioner Phillips referred to the aerial map and confirmed that the applicant wants to combine the six lots on the property into one. The proposed site plan was displayed and Mr. Gurr explained that they are keeping one-half acre of the front portion of the approximate 3-acre property as Downtown Village Commercial Subdistrict and requesting that the remainder of the property to be rezoned C-G (General Commercial).
- Commissioner Phillips asked Director Cárdenas if the City has a different interpretation. Director Cárdenas stated that they have had a couple of meetings with the applicant and the City Attorney and City Staff agrees that a plat is recommended for a rezone. Mr. Robinson restated that a plat is not required by State Code.
- Commissioner Phillips stated that in looking at the site plan he could see that a subdivision plat would make the process a lot cleaner but it did not appear to him that the applicant would be prevented from building what he wants if he had one. Mr. Gurr noted that the previous week they inquired about Building Code requirements and were informed that they would be required to build a firewall along the property line to comply with Building Code if they were to record a subdivision plat to delineate the two zones. Doing so would require a redesign because a property line would go through the interior of the building. They concluded that the firewall would require two structures to get the separation.
- Commissioner Butler commented that it comes down to the building uses and what is permissible in the different zones. To the west of the property, there are permitted uses that are the same as what the applicant is seeking. The current Master Plan, however, envisions the area as being a walkable, livable area which it currently is not. His concern was what uses will be coming in if the property is rezoned and what happens to the area when ownership transfers in the future. He asked what was causing them to bring in the C-G (General Commercial) Zone rather than leaving the zoning as is. There was discussion and ultimately it was determined that a rezone creates more flexibility for the applicant as there are more permissible uses. Commissioner Phillips is not as concerned with the uses in the rear of the project since they are not fronting 200 South and will not impact walkability within the zone.
- Kevin Gurr stated that this is a similar discussion to the one they had with the City Council who did not want the C-G (General Commercial) Zone across the tracks. They instead desire retail. He understands that the zone change will allow for some uses that could be considered undesirable but they could not pour into the parking lot. The equipment the applicants would like to install will be like their existing equipment for their commercial printing business and will be located inside the building and not in the parking lots. He grew up working in the commercial zone at the lumber yard and submitted his plans thinking the area was still zoned C-G (General Commercial). He then was informed of several restrictions associated with the Downtown Village Design Standards and Guidelines such as no overhead doors and a brick façade all the way around the building. He noted that the Downtown Village Commercial Subdivision Zone does not work for them and thought they had always been in an area zoned C-G.

- 1 • Commissioner Butler commented that the downtown zone will ideally be expanding to
2 State Street and questioned why they are viewing the Downtown Village Commercial
3 Subdistrict Zone as being restrictive. With regard to CopyTec, Mr. Kevin Gurr stated that
4 there is a production component that is grandfathered in. They were informed that they
5 will lose that grandfathered use if they change the building footprint and they also need the
6 overhead doors for the production side of their business.
- 7 • Commissioner Phillips stated that the City typically wants businesses that generate tax
8 revenue, which is better in the Downtown Village Commercial Subdistrict Zone; however,
9 the area to be rezoned is not an area where retail businesses will want to be as there is a
10 lack of visibility from the street.
- 11 • Commissioner Redding asked about grandfathering the entire building in and was informed
12 that doing so would require a separate discussion and motion.

13
14 Chair Patten opened the public hearing.

15
16 *Paul Maxfield* owns the home directly east of the subject property, which was identified on an
17 aerial map. His opposition pertained to the fact that the area being proposed to remain within the
18 downtown village did not align with his property line. His preference is that the delineation of the
19 rezone align with his southern property line. He was not opposed to the proposal but was
20 concerned that his property would be devalued. He reported that his home is historical as is the
21 entire area. He reported that four historical buildings have or will be demolished in the area. He
22 expressed opposition to the proposed rezone as presented.

23
24 There were no further public comments. The public hearing was closed. The Chair invited the
25 Commissioners to either continue the discussion regarding the item or bring a motion if no further
26 discussion was necessary.

27
28 Commissioner Redding thought that the area to be rezoned could be split further back than what
29 was being proposed.

30
31 Director Cárdenas addressed the following:

- 32
33 • With regard to the grandfathered building, he stated that the request requires a very
34 unconventional approach because it is within the entry corridor to the downtown area. The
35 City has various alternatives to address non-conforming uses and buildings. One
36 alternative allows the continuation of a Conditional Use Permit if five sections or parcels
37 are in compliance. He felt they would be able to continue the use for CopyTec. He
38 commented that the issue pertains more directly to the design and uses for the building. As
39 currently designed in the back, the building will not meet the requirements of the downtown
40 zone. He reported that the applicant wants to have more general commercial uses in the
41 building than are currently allowed and staff was trying to preserve the City's vision for
42 the downtown. Staff has had discussions about the Subdivision Plat and determined that it
43 would be the best approach. The matter has also been discussed with the City Attorney.
- 44 • With regard to firewall issues, he spoke to the City's Building Official who serves on the
45 Design Review Committee ("DRC"). They were faced with two options. If only one parcel
46 is allowed, the approach is more unconventional as they would have two zones for one

1 parcel and require a surveyor to identify the location of the zone line. They also looked at
2 a property zone line separation which would be created by lot lines. Staff preferred to have
3 a lot. He commented that the issue could be worked out with the Building Official with
4 additional discussion.

- 5 • He reiterated that the proposed rezone is already unconventional and he did not want to
6 make it more so. The applicant was working with staff to resolve the outstanding issues.
7 He stated that he is hesitant to express the desires of the City Council who will make the
8 final decision. Staff has tried to preserve a small area in the front and work out something
9 acceptable in the back. The issues for staff are the bay doors in the rear, the materials to
10 be used, and the uses. He asked the Planning Commission to consider what is proposed
11 from a planning perspective.

12
13 There was discussion about the walkability of the rear of the lot and options pertaining to rezoning
14 and property lines. Commission Phillips pointed out that the property is in a corner behind an
15 overpass. The general layout makes it unlikely that the businesses in the rear will ever be part of
16 a walkable, prime retail area. What is being planned for this development is a massive
17 improvement in the area. Procedural issues were discussed. The applicant was asked to comment
18 on the proposal from Mr. Maxfield to move the delineation of the zone further south. Mr. Robinson
19 stated that they have researched split zones in one parcel and they found that Pleasant Grove
20 ordinances allow for split zoning. It was preferable that the proposed delineation was not moved
21 back beyond the 70 feet being proposed. He stated that Kevin Gurr's family has been in business
22 in Pleasant Grove for 40 years and his son plans to take over the business for his father. Director
23 Cárdenas stated that he has never been involved in a one-parcel rezone that contains two zones in
24 the eight years that he has worked for the City.

25
26 Commissioner Butler commented that they need to consider that if they allow the rezone and the
27 City eventually extends the Downtown Village Commercial Subdistrict Zone to State Street, they
28 will effectively create an island C-G (General Commercial) Zone. He was not opposed to it but it
29 needs to be considered. There was discussion regarding the split zone and the feature of the land
30 that makes the rezone appropriate. Commissioners Phillips and Redding spoke positively about
31 the single-lot split zone noting potential improvements to the distressed area.

32
33 **MOTION:** Commissioner Phillips moved that the Planning Commission forward a
34 recommendation of APPROVAL to the City Council for the request of Kevin Gurr for the rezone
35 of approximately 2.19 acres located at approximately 169 West 200 South from the Downtown
36 Village Commercial Subdistrict Zone to the C-G (General-Commercial) Zone; and adopting the
37 exhibits, conditions, and findings of the staff report and as modified by the conditions below:

- 38
39 1. That no subdivision plat is required.
- 40
41 2. That the dual-zone in a single parcel be allowed as long as all final Planning,
42 Engineering, and Fire Department requirements are met.

43
44 Commissioner Redding seconded the motion. Vote on motion: Commissioner Nelson-Yes;
45 Commissioner Redding-Yes; Chair Patten-Yes; Commissioner Butler-No; Commissioner
46 Trickler-Yes; Commissioner Phillips-Yes. The motion passed 5-to-1.

1
2 **ITEM 2 – Public Meeting: Preliminary Subdivision Plat–Located at 190 East 100 South**
3 **(Old Fort Neighborhood)**

4 Public Meeting to Consider the Request of Kristen Shumway for a 1-Lot Preliminary Residential
5 Subdivision Plat called S&K Shumway Plat ‘A’ on 0.235 acres, located at 190 East 100 South in
6 the Downtown Village Zone-Transitional Subdistrict. (Administrative Item)

7
8 The above item was incorrectly noticed and was continued to the July 11, 2024 meeting.

9
10 **ITEM 3 – Public Hearing: Code Text Amendment – Section 10-15-14: Flag Lots**
11 **(City Wide)**

12 Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 10-
13 15-14, Flag Lots. The City is proposing to make changes to the zoning requirements for the
14 potential development of interior lots with the intent to facilitate the development of infill areas in
15 an orderly and reasonable manner. (Legislative Item)

16
17 Planner Hawkins presented the Staff Report and stated that the above item pertains to a proposed
18 modification of requirements for interior lots. Applications for flag lots occur when a lot that has
19 adequate property wants to be split to create an interior lot. A flag lot is the interior lot to the back
20 of a standard lot that faces the street that has access by way of a long driveway that allows access
21 to the street in front of the standard lot or through the back if there is a nearby street.

22
23 Flag lot development provides an opportunity for an increased number of homes in high-density
24 areas and helps increase the number of available moderate-income housing units. It also provides
25 a development opportunity in areas that are not normally allowed to be developed. Flag lots,
26 however, are not intended to simply be a way to maximize the use of space but are intended for
27 use with deep lots and to provide access to areas where service would not normally be available.
28 They are considered a last resort as flag lots can create challenges. For example, the Engineering
29 Department should consider how runoff can potentially affect neighboring properties and whether
30 there are issues with utility access. At times developers have intentionally created deep lots to
31 reduce the amount of new road construction that would normally be required.

32
33 In 2000, the City conducted a study of all vacant land within its boundaries and documented all
34 roads that should be constructed where property could potentially be subdivided and a Vicinity
35 Plan was created. The plan anticipated how larger open lands could be developed. It also was
36 intended to provide long-range planning for local neighborhood streets in Pleasant Grove and
37 ensure that all property owners have an equal opportunity to develop their property. Some of the
38 vacant spaces identified in the plan are smaller lots that owners also want to develop. Flag lots
39 require the same area, size, width, and setbacks as in the underlying zone; and in higher-density
40 zones, some developers request to build flag lots to maximize development and to reduce cost due
41 to less road development.

42
43 To maintain better planning principles when permitting flag lots and enforce the City’s intent, staff
44 proposed the following amendments:

- 45
46
- The permitted number of flag lots should be reduced from three to one lot per development.

- Specific setbacks and minimum dimensions are established that are greater than what is currently required.
- Flag lots are to slope toward the right-of-way.

The proposed changes support the City’s position with regard to flag lots and complies with the vision of the Vicinity Plan to allow such development when appropriate. Research of other flag lot requirements in other cities supported the one-lot requirement.

Director Cárdenas reported that flag lots have more problems (such as legal issues, utility access, and fire access) than solutions for the City. The reduction encourages planning for a better road system. The Planning Commission Members were invited to provide comments on the proposed changes including lot size, limiting the length of the driveways from 300 to 100 feet, depth, and setbacks prior to next Wednesday.

MOTION: Commissioner Butler moved to CONTINUE the request to amend City Code Section 10-15-14: Flag Lots to July 11, 2024. Commissioner Phillips seconded the motion. The Commissioners unanimously voted “Yes”. The motion carried.

ITEM 4 – Review and Approve the Minutes from the May 23, 2024, Meeting.

MOTION: Commissioner Redding moved to APPROVE the minutes from May 23, 2024. Commissioner Nelson seconded the motion. The Commissioners unanimously voted “Yes”. The motion carried.

ITEM 4 – Review and Approve the Minutes from the June 13, 2024, Meeting.

MOTION: Commissioner Phillips moved to APPROVE the minutes from June 13, 2024. Commissioner Redding seconded the motion. The Commissioners unanimously voted “Yes”. The motion carried.

MOTION: Commissioner Butler moved to ADJOURN. The Commissioners unanimously voted “Yes”. The motion carried.

The Planning Commission Meeting adjourned at approximately 8:18 p.m.



Planning Commission Chair



Christina Gregory, Planning & Zoning Assistant

7-11-2024

Date Approved