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PLEASANT GROVE CITY
PLANNING COMMISSION MINUTES
April 23, 2015

PRESENT: Chair Eric Jensen, Vice Chair Drew Armstrong, Commissioners Scott Richards, Amy Cardon and Lisa Coombs

STAFF: Community Development Director Ken Young, City Planner Royce Davies, Planning Tech Barbara Johnson, City Engineer Degen Lewis and NAB Chairperson Libby Flegal

Commissioners Dallin Nelson, Levi Adams and Gary Yeates were excused.

The meeting was called to order at 7:00 p.m.

Commission Business:

- **Pledge of Allegiance:** Amy Cardon led the Pledge of Allegiance.
- **Opening Remarks:** Royce Davies gave the opening remarks.
- **Agenda Approval:**

The Commission was informed that Item 1 was cancelled.

- **MOTION:** Commissioner Richards moved to approve the written agenda as public record, with the change noted. Commissioner Coombs seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.
- **Staff Reports:**
 - **MOTION:** Commissioner Cardon moved to approve the Staff Reports as part of the public record. Commissioner Armstrong seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.
- **Declaration of conflicts and abstentions from Commission Members:** There were no conflicts declared.

1 **ITEM 1** – Public Hearing to consider the request of Lourdes Sifuentes to amend section 10-11D-
2 2: “Permitted, Conditional and Accessory Uses” to allow reception centers in the CS-2
3 (Commercial Sales-2) Zone. **CITY WIDE** ***CANCELLED**

4
5 **ITEM 2** – Public Hearing to consider the request of Alan Higley to amend section 10-14-24-1-
6 C: “Permitted and Conditional Uses” to allow reception centers in The Grove Zone Commercial
7 Sales Subdistrict. **CITY WIDE** ***CONTINUED FROM APRIL 9, 2015.**

8
9 Before City Planner, Royce Davies, presented the staff report, he reminded the Commission that
10 the Grove Zone was created to be a largely retail based zone. He began his presentation by
11 stating that the applicant desired to add use 6399 to the zoning ordinance. It has several uses
12 associated with it but he wanted to add “reception centers” only. Because a reception center is
13 not a retail use, staff recommended that reception centers not be located on the ground level and
14 that they not occupy more than 50% of the building. Another recommendation was that
15 reception centers be accompanied by an active use in the zone’s permitted uses. Mr. Davies
16 explained that the applicant is in the essential oils business and would like to operate a reception
17 or events center in connection with the business, on the second floor. The amendment would
18 allow the applicant this capability, and open up it up to other businesses in the future.

19
20 Mr. Davies displayed aerial photographs of the Aroma Tools building and identified the parking
21 area. Staff recommended approval of the amendment with the stipulations mentioned
22 previously.

23
24 The applicant, Alan Higley, identified himself as the owner of Aroma Tools and gave his address
25 as 1543 South 2150 East in Spanish Fork. He made it clear to the Commission that the reason
26 they wanted an events center was for meetings and demonstrations. It will also enhance the use
27 of the building and they were seeking the addition to the zoning ordinance to allow the space to
28 be used for receptions and other events. Mr. Higley assured the Commission that it would be a
29 secondary use to the main retail business.

30
31 Chair Jensen opened the public hearing.

32
33 Jane Robinson stated that she has been the owner of The Bungalow in Pleasant Grove for 43
34 years. She did not want to repeat her comments from the last meeting but wanted to take the
35 opportunity to thank staff and the Commission for the time they spend serving the community
36 and conducting the research necessary to act fairly. Ms. Robinson was surprised that the Aroma
37 Tools business recently announced a grand opening for their reception space without obtaining
38 the conditional use permit. She felt it was inappropriate for them to do this. Mr. Davies stated
39 that the Commission hesitated at the last meeting because they got off on a tangent regarding
40 business licenses. The Commissioners should consider the application based on what is the best
41 for the City but rather on what the applicant has or hasn’t done.

42
43 Mr. Higley commented that the reason they decided to hold the grand opening was because they
44 already had a license for the Aroma Tools business, which includes the meeting space on the
45 upper floor. He spoke with City officials and it seemed like having a grand opening would be

1 okay. Mr. Davies also stated that the applicant was granted a conditional use permit for a
2 wedding reception recently held at the facility.

3
4 There were no further public comments. Chair Jensen closed the public hearing.

5
6 Commissioner Richards expressed discomfort with the grand opening event. Chair Jensen
7 agreed.

8
9 Commissioner Armstrong was not convinced that this is or is not the right use in the zone. When
10 asked to expound, he commented that none of the Commission Members were present when the
11 zone was created. Some City Council Members were and seemed determined to keep it as a
12 retail area even though having reception centers as an ancillary use to retail may be a good fit.
13 One of the things the Council was concerned about was the lack of sales tax revenue

14
15 Commissioner Richards asked Mr. Davies if adding this to the ordinance would allow other
16 businesses to utilize entire buildings for reception centers. Mr. Davies explained that reception
17 centers would only be allowed on the upper floors of a building, it has to be a secondary use to
18 an active permitted use, and cannot occupy more than 50% of the square footage.

19
20 There was discussion on whether 50% was too high of a number. The applicant stated that the
21 event center in the building would occupy less than 25% of the square footage. The Commission
22 determined that 20% would be sufficient and decided to include it as a condition of approval.

23
24 **MOTION:** Commissioner Richards moved that the Planning Commission recommend that the
25 City Council approve the proposed text amendment adding 6399, "Other Personal Services,
26 NEC, Reception Centers" to Section 10-14-24-1-C Commercial Sales Subdistrict of The Grove
27 Zone, in Pleasant Grove City Code, and adopt the exhibits, conditions, and findings set forth in
28 the staff report, and as modified by the following:

- 29
30 1. Section J.A.ii will read "Occupy more than 20% of the total square footage of a building
31 where they are housed"

32
33 Commissioner Coombs seconded the motion. Vote on motion: Chair Jensen-Aye,
34 Commissioner Armstrong-Aye, Commissioner Richards-Aye, Commissioner Cardon-Nay,
35 Commissioner Coombs-Aye. The motion passed 4-to-1.

36
37 **ITEM 3** – Public Hearing to consider the request of Wayne Beesley for renewal of a Conditional
38 Use Permit to store vehicles during June, July, and August on property located at approximately
39 409 North 2000 West in The Grove Zone. **SAM WHITE'S LANE**

40
41 Mr. Davies presented the staff report and stated that the applicant was granted a conditional use
42 permit on June 12, 2014, for the same use. The applicant was requesting permission to store
43 vehicles, particularly school busses, on his property during the summer months. Mr. Davies
44 reported that there were no problems reported last year and the applicant maintained his property
45 as requested.

1 Chair Jensen asked Mr. Davies to explain why a conditional use permit is needed for the use.
2 Mr. Davies reminded the Commission that the Grove Zone’s primary focus is retail, which was
3 why the conditional use permit needs to be renewed annually. Staff recommended approval.
4

5 The applicant, Wayne Beesley, expressed appreciation for the past approval and hoped he could
6 continue what he has been doing.
7

8 Chair Jensen opened the public hearing. There were no public comments. Chair Jensen closed
9 the public hearing.
10

11 Commissioner Richards thanked the applicant for a job well done.
12

13 **MOTION:** Commissioner Richards moved that the Planning Commission approve the proposed
14 renewal of a conditional use permit to store vehicles temporarily on property located at
15 approximately 409 North 2000 West, in The Grove Zone, and adopt the exhibits, conditions, and
16 findings set forth in the staff report. Commissioner Armstrong seconded the motion. The
17 Commissioners unanimously voted “Aye”. The motion carried.
18

19 **ITEM 4** – Public Hearing to consider the request of Jaeson Roundy for a Two-Lot Subdivision
20 of approximately 1.057 acres called Roundy Subdivision located at approximately 560 South
21 Locust Avenue in the R1-8 (Single Family Residential) Zone. **STRING TOWN**
22

23 Mr. Davies presented the staff report and informed the Commission that they would be
24 discussing a few subdivisions and that there are often concerns from the public. He educated the
25 Commission and the public on basic property rights and stated that in the state of Utah, property
26 rights are sacred. The City allows people to develop their property in a manner that would be
27 beneficial to them and those around them. Essentially, the Planning Commission makes sure that
28 a preliminary or final plat maintains the health, safety, and welfare of the community and allows
29 the applicant to develop their property in a legal manner. The City cannot prohibit someone
30 from developing their property but they can set parameters they deem appropriate.
31

32 Mr. Davies stated that the applicant is requesting to take a single lot at 560 South Locust Avenue
33 and divide into two lots. Lot 2 to the east will be approximately 70 feet wide, while the R1-8
34 Zone requires an 85-foot lot width. Because of this requirement, staff recommended the
35 applicant seek a variance from the Board of Adjustment. Mr. Davies informed the Commission
36 that the applicant was already working on the application. There were no other issues and all
37 other requirements had been met.
38

39 The applicant, Jaeson Roundy, gave his address as 770 East Orchard Drive. He gave a brief
40 history of the property and stated that they were excited to subdivide it. Mr. Roundy confirmed
41 that there was an existing house on Lot 2 and a few sheds that would end up on the back of Lot
42 1. His intention is to sell Lot 2 with the existing home.
43

44 Chair Jensen opened the public hearing. There were no public comments. Chair Jensen closed
45 the public hearing.

1 **MOTION:** Commissioner Richards moved that the Planning Commission approve the proposed
2 subdivision called Jaeson Roundy Plat A located at approximately 560 South Locust Avenue, in
3 the R1-8 Zone; and adopt the exhibits, conditions, and findings set forth in the staff report, with
4 the following condition:

- 5
6 1. The approval is subject to obtaining a variance from the Board of Adjustment prior to
7 being heard by the City Council.

8
9 Commissioner Coombs seconded the motion. The Commissioners unanimously voted “Aye.”
10 The motion carried.

11
12 **ITEM 5** – Public Hearing to consider the request of Brandon Sidwell for a two-lot subdivision of
13 approximately 2.03 acres called Sidwell Subdivision located at approximately 950 East 900
14 South in the R1-9 (Single Family Residential) Zone. **SCRATCH GRAVEL**
15 **NEIGHBORHOOD**

16
17 Mr. Davies presented the staff report and explained that historically the property was subdivided
18 illegally. The two lots exist on the County record but the previous owner did not seek approval
19 from the City. The applicant was not aware of this when he purchased the property and had
20 come before the Planning Commission to correct the situation.

21
22 The applicant, Brandon Sidwell, gave his current address as 114 South Wildflower Drive in
23 Alpine. He and his family had wanted to move to Pleasant Grove for some time and recently
24 purchased the subject property. Mr. Sidwell wanted the application to be approved in order to
25 begin construction on the home.

26
27 Chair Jensen opened the public hearing.

28
29 Jack Young gave his address as 960 East 830 South and stated that he previously had an interest
30 in the property. He was told by the DRC that he would not be able to subdivide. He wanted to
31 know if the intended home would be built far enough back to allow for a road to go through to 10
32 South. It was confirmed that they did not know those details yet, since no site plans had been
33 submitted.

34
35 Mr. Young stated that there were also curb and gutter requirements. He asked if the owner
36 would be held to those. He was not opposed to the proposal but would like to see the owner
37 meet the same requirements.

38
39 Mr. Sidwell spoke to Mr. Young’s question about a through-road and stated that since they were
40 not trying to subdivide such a large piece of property, there wouldn’t be a street there. He
41 intended for his home to be in that area with space for horses and other animals.

42
43 Dave Chandler identified himself as the owner of the lot adjacent to the subject property. With
44 regard to the curb and gutter requirements, he wanted to know how much would be their
45 responsibility and if the City would help with the installation.

1 City Engineer, Degen Lewis, addressed the situation and stated that it was difficult because the
2 individual who was responsible for the illegal subdivision is no longer present. Because the
3 property was divided illegally, the City can require the owners to install curb and gutter. They
4 have the option to require the owners to combine their property again and make them joint
5 owners. They would like to keep with the intent of the original owner by accepting the
6 application but that requires the owners take care of the cost of the curb and gutter.

7
8 There were no further public comments. Chair Jensen closed the public hearing.

9
10 In response to a question from Commissioner Richards, Mr. Davies confirmed that the curb and
11 gutter requirements would run with the subdivision rather than the site plan approval.

12
13 There was discussion regarding options for the applicant. They could move forward and take
14 care of the expenses or table the application until they have researched the issue further. Mr.
15 Sidwell decided that since there was no guarantee that a variance or other option would be open,
16 he preferred to move forward with the application as it is.

17
18 **MOTION:** Commissioner Armstrong moved that the Planning Commission approve the
19 proposed two-lot preliminary subdivision called Sidwell Subdivision Plat A located at
20 approximately 950 East 900 South, in the R1-8 Zone, and adopt the exhibits, conditions, and
21 findings contained in the staff report. Commissioner Richards seconded the motion. The
22 Commissioners unanimously voted “Aye”. The motion carried.

23
24 **ITEM 6** – Public Hearing to consider the request of Kenneth Chapman for a five-lot preliminary
25 plat called Newman Estates Subdivision Plat, located at approximately 700 North 700 East in the
26 R1-9 (Single Family Residential) Zone. **MONKEY TOWN NEIGHBORHOOD**

27
28 Mr. Davies presented the staff report and stated that the applicant was requesting a five-lot
29 subdivision on which there are two existing homes. The applicant and staff had been through
30 several plans for the area trying to find the best way to work with the space and comply with all
31 of the zoning requirements. The proposed plan meets requirements for setbacks, general
32 building paths, flag lot stems, and minimum lot sizes.

33
34 Kimball Pathmeyer, a licensed real estate agent, spoke on behalf of the applicant who was out of
35 town and unable to attend the meeting. Mr. Pathmeyer gave his address as 1250 North 200 West
36 in Bountiful. He assured the Commission that they had taken curb and gutter installation and
37 utility costs into consideration and they were within budget. The only concern was that they
38 want to keep the existing shed and need to get permission from the utility company for an
39 encroachment.

40
41 Chair Jensen opened the public hearing.

42
43 Christopher Egbert gave his address as 760 North Mahogany Drive and expressed his concerns
44 with drainage. He stated that there are already issues with him and his neighbor and whenever
45 one person is running irrigation, water leaks into his basement. Mr. Egbert was worried that

1 water would follow the natural grade of the land and flood his property. He also had concerns
2 with the accessibility of the flag stem. Mr. Egbert's final concern dealt with construction
3 annoyances.

4
5 In addressing the drainage concern, Engineer Lewis stated that the property owners would be
6 responsible for any damages from water runoff. Anything to do with construction would have to
7 be addressed at another time.

8
9 It was also confirmed that the flag stem would be accessible to emergency vehicles, and no
10 parking would be allowed along the road.

11
12 There were no further public comments. Chair Jensen closed the public hearing.

13
14 **MOTION:** Commissioner Coombs moved that the Planning Commission approve the proposed
15 five-lot preliminary subdivision called Newman Estates located at approximately 700 North 700
16 East in the R1-9 (Single-Family Residential) Zone, and adopt the exhibits, conditions, and
17 findings set forth in the staff report. Commissioner Cardon seconded the motion. The
18 Commissioners unanimously voted "Aye". The motion carried.

19
20 **ITEM 7** Public Hearing to consider the request of Josh Winn with Georgetown Development for
21 a 68-lot mixed housing development preliminary plat called Garden Grove located at
22 approximately 15 South 1300 West in the Grove Zone. SAM WHITE'S LANE
23 **CONTINUED FROM MARCH 26, 2015.*

24
25 Mr. Davies presented the staff report and stated that the request was for plat approval of a
26 subdivision located at 15 South 1300 West in the Grove Zone. The zone is primarily commercial
27 but the subject property is located in the mixed housing district, so there are no commercial
28 requirements. The proposed subdivision would contain 68 lots, the majority of which are single
29 family homes, although there would also be townhome areas. Mr. Davies said that one of the
30 requirements of the district is that any mixed housing projects over five acres are required to
31 have three different types of housing. The three types of housing would be townhomes, live-
32 work units, and "garden homes" (single family residences). Mr. Davies presented aerial
33 photographs of the property and stated that the existing homes would be removed.

34
35 In response to a question from the Commission, Mr. Davies explained that the zone requires no
36 minimum lot size and the setback requirements are only five feet on the side yards. These units
37 would be 15 feet apart. Mr. Davies also presented a site plan, which goes hand in hand with the
38 subdivision application. There will be 41 single family homes, 17 townhomes, and 10 live-work
39 units. The subdivision will be constructed in two phases, which was specified on the site plan.

40
41 Mr. Davies presented more specification and requirements of the zone. The landscaping
42 requirements are fairly extensive, one of those being the requirement for trees. According to the
43 ordinance, the property needs 127 trees and 30% need to be evergreen trees. At this time,
44 Mr. Davies informed the Commission that the area should have been designed with the Mountain
45 Design standards, but the applicant was misinformed and designed according to the Garden

1 Design standards. If they were to follow the Mountain Design, the applicant would require 60%
2 of their trees be evergreens. This was something that needed to be discussed by the Planning
3 Commission prior to approval.

4
5 Also according to the landscaping ordinance, 30% of the area needs to be continuous open space,
6 and 75% of that needs to be usable. Mr. Davies pointed out that there would be two parking
7 spaces per single-family home, with garages and driveways.

8
9 Mr. Davies stated that the Design Review Board reviewed the application and asked the
10 applicant to provide a lighting plan, a larger playground area with swings, a pergola, a seating
11 area, windows in the garage doors, more evergreen trees, a landscaping plan stamped by a
12 licensed landscape architect, and a drainage plan.

13
14 Engineer Lewis commented that evergreen trees do not survive well in this area and
15 recommended that they not require more of them from the applicant.

16
17 The applicant, John Dexter, provided copies of colored drawings of the proposed area. Mr.
18 Dexter stated that the site plan was inspired by a similar area in California that was very
19 successful. The property values of those homes tripled in value since the initial opening. Mr.
20 Dexter gave a brief history of the California neighborhood. He walked the Commissioners
21 through the renderings provided, and the benefits of the proposed design. Mr. Dexter addressed
22 some of the previously stated concerns and assured the Commissioners that they would be
23 willing to put in any required trees. He also explained that the playground they had designed is
24 larger than it appears in the site plan.

25
26 Chair Jensen opened the public hearing. There were no public comments. Chair Jensen closed
27 the public hearing.

28
29 **MOTION:** Commissioner Richards moved to approve the proposed 68-lot preliminary
30 subdivision called Garden Grove Plats A and B located at approximately 15 South 1300 West in
31 the Grove Mixed Housing Subdistrict, and adopt the exhibits, conditions, and findings contained
32 in the staff report. Commissioner Cardon seconded the motion. The Commissioners
33 unanimously voted "Aye". The motion carried.

34
35 **ITEM 8** Public Hearing to consider request of Josh Winn with Georgetown Development for a
36 68-lot mixed housing development site plan and phasing plan called Garden Grove located at
37 approximately 15 South 1300 West in the Grove Zone. SAM WHITE'S LANE

38
39 Although there was no additional information for the application, the Commissioners had a
40 discussion about the requirement for evergreen trees. It was determined that only 30% evergreen
41 trees should be required.

42
43 Chair Jensen opened the public hearing. There were no public comments. Chair Jensen closed
44 the public hearing.

1 **MOTION:** Commissioner Cardon moved that the Planning Commission approve the proposed
2 Site and Phasing Plan for Garden Grove located at approximately 15 South 1300 West in the
3 Grove Mixed Housing Subdistrict, and adopt the exhibits, conditions, and findings contained in
4 the staff report and as modified by the petitions of the Design Review Board to require the
5 following:
6

- 7 1. Provide a lighting plan;
- 8
- 9 2. Provide a larger playground with swings, seating area, and pergola;
- 10
- 11 3. Provide windows in the garage doors to enforce parking;
- 12
- 13 4. Require more evergreens to meet the 30% requirement;
- 14
- 15 5. Provide a landscape plan stamped by a licensed landscape architect; and
- 16
- 17 6. Provide a drainage plan.
- 18

19 Commissioner Armstrong seconded the motion. The Commissioners unanimously voted “Aye”.
20 The motion carried.
21

22 **MOTION:** Commissioner Richards moved that the Planning Commission recommend the City
23 Council consider other types of trees more suitable to the environment of the area, Section
24 10-14-15 of the landscaping ordinance. Commissioner Coombs seconded the motion. The
25 Commissioners unanimously voted “Aye.” The motion carried.
26

27 **Review and approve the Minutes and Report of Actions from the following meetings:**
28 **Planning Commission Meeting Minutes for April 9, 2015 and March 12, 2015.**
29

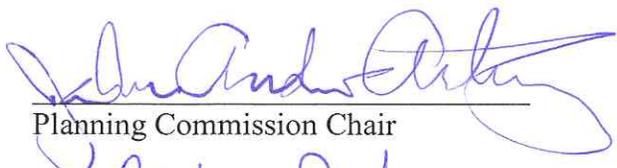
30 **MOTION:** Commissioner Richards moved to approve the Planning Commission Meeting
31 Minutes of April 9, 2015. Commissioner Armstrong seconded the motion. The Commissioners
32 unanimously voted "Aye". The motion carried.
33

34 **MOTION:** Commissioner Richards moved to approve the Planning Commission Meeting
35 Minutes of March 12, 2015, as initially written, with an amendment to a comment from
36 Commissioner Cardon on page 12, line 41 so that it reads “not necessarily the best option”
37 Commissioner Cardon seconded the motion. The Commissioners unanimously voted “Aye”.
38 The motion carried.
39

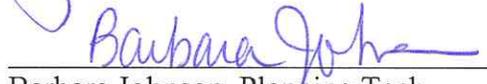
40 **MOTION:** Commissioner Richards moved to adjourn. Commissioner Coombs seconded the
41 motion. The Commissioners unanimously voted “Aye”. The motion carried.
42

1 The meeting adjourned at 9:15 p.m.

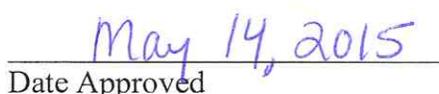
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Planning Commission Chair



Barbara Johnson, Planning Tech



Date Approved
