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2
3 PLEASANT GROVE CITY
4 PLANNING COMMISSION MEETING MINUTES
5 January 14, 2021
6

7 **PRESENT:** Chair Todd Fugal, Commissioners Bobbi Jo Blake, Jeffrey Butler, Tim Clyde, Lisa
8 Coombs, Dustin Phillips, Peter Steele
9

10 **EXCUSED:** Jim Martineau
11

12 **STAFF:** Daniel Cardenas, Community Development Director; Rylee Hall, City Planner; Kara
13 Kresser, Planning Assistant; Lauren Drubay, Planning Tech; Marty Beaumont, City Engineer;
14 Aaron Wilson, City Engineer
15

16 Chair Fugal called the meeting to order at 7:00 p.m.
17

18 **Commission Business:**
19

20 1. **Pledge of Allegiance and Opening Remarks:** Commissioner Coombs led the Pledge of
21 Allegiance. Commissioner Blake gave the opening remarks.
22

23 2. **Agenda Approval:**
24

- 25 • **MOTION:** Commissioner Clyde moved to APPROVE the agenda as part of public
26 record, with a continuation of Item 3 to the Pleasant Grove Planning Commission
27 Meeting on January 28, 2021. Commissioner Coombs seconded the motion. The
28 Commissioners unanimously voted "Aye". The motion carried.
29

30 3. **Staff Reports:**
31

- 32 • **MOTION:** Commissioner Steele moved to APPROVE the Staff Reports as part
33 of the public record. Commissioner Blake seconded the motion. The
34 Commissioners unanimously voted "Aye". The motion carried.
35

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

2
3 There were no conflicts of interest.
4

5 **ITEM 1 – Site Plan –** Located at Approximately 2464 West 450 South (Sam White’s Lane
6 Neighborhood). Public Hearing to Consider the Request of Bruce Mackay for a Site Plan
7 Amendment of the Liahona Preparatory Academy by Adding an Addition that will Include a
8 Performance Hall and Additional Classroom Space on Property Located at Approximately 2464
9 West 450 South in The Grove Zone – Mixed Housing Subdistrict.
10

11 City Planner, Rylee Hall presented the request of Bruce Mackay for a site plan amendment to the
12 Liahona Preparatory Academy, located at approximately 2464 West 450 South in the Grove Zone
13 – Mixed Housing Subdistrict. The site plan includes an addition for a performance hall and
14 additional classroom space and will occupy Lot 5 of the existing subdivision, Mayfield
15 Subdivision Plat ‘A.’ Planner Hall shared a zoning map, aerial map and the proposed site plan
16 with the Planning Commission.
17

18 To allow for flexibility in creating new developments, there is no minimum lot area or lot width
19 for commercial development in The Grove Zone – Mixed Housing Subdistrict. Frontage for the
20 site is provided by public roads 2500 West, 450 South, and Harvest Drive. The total footprint of
21 the addition is 12,276 square feet and the required building setback is 25 feet. The site plan was
22 reviewed by the Design Review Board (“DRB”). Both the site and building met the requirements
23 for urban design as well as building materials and design.
24

25 The original site plan for the Liahona Preparatory Academy was approved in 2007 with a total of
26 66 parking spaces. It was approved with the assumption that an addition would eventually be
27 constructed. Staff determined that additional parking would not be needed to meet the parking
28 requirements for private school use. However, an additional three parking spaces were provided
29 by the applicant for a total of 69 parking spaces. With the number of parking spaces provided,
30 three ADA spaces were required. The site plan provides three ADA spaces, meeting all parking
31 requirements. The applicant and staff previously discussed the possibility of third-party use of the
32 auditorium. Staff determined that if third-party use were to take place, parking requirements would
33 be reevaluated. City Code requires that automobile parking facilities must be supplemented by
34 bicycle parking in the amount of 5% of the total automotive spaces. The proposed site plan was
35 determined to meet that requirement.
36

37 Staff reviewed the plans and determined that they comply with City Code requirements for
38 landscaping, design setbacks, parking, and all other requirements for The Grove Zone – Mixed
39 Housing Subdistrict. Since the proposed site plan meets all zoning requirements, staff
40 recommended that the Planning Commission approve the proposed site plan amendment with the
41 conditions as listed in the staff report.
42

1 Commissioner Blake asked if the City Code provided a recommendation for parking requirements
2 at a private school. Planner Hall confirmed this and explained that the Code requires two parking
3 spaces for every three students and one parking space per staff member. Chair Fugal asked if the
4 addition was part of the original site plan in 2007. Planner Hall reported that the concept presented
5 at that time showed the addition, but the addition itself had not been approved by the DRB, the
6 Planning Commission, or the City Council.

7
8 City Engineer, Marty Beaumont reported that staff required a pickup and drop off plan to mitigate
9 some of the traffic concerns. It was provided as part of the site plan. Commissioner Steele asked
10 about the consequences if the pickup and drop off plan was not followed. Engineer Beaumont
11 believed that having a plan in place would reduce congestion. Commissioner Steele asked about
12 enforcement and reporting. Engineer Beaumont stated that anyone could report an issue and
13 mentioned congestion at other charter schools. He felt that the proposal would solve the issue and
14 alleviate congestion concerns.

15
16 The applicant, Bruce Mackay, reported that there was not a parking issue on the property.
17 Approximately 25% of the parking spaces were currently being used. However, he believed it was
18 important to plan for any future issues, and the pickup and drop off plan would be implemented.
19 Mr. Mackay described the current drop off area. Commissioner Steele noted that there are two
20 entrances on the south. Mr. Mackay commented that nothing specific had been proposed for the
21 two entrances, but they would be beneficial during non-pickup and drop off times.

22
23 The Commission discussed the number of students and staff at the school. Mr. Mackay believed
24 there were 159 students enrolled and approximately 15 staff members employed. The proposed
25 auditorium will have 460 seats. Mr. Mackay discussed the potential for a Cross Parking
26 Agreement.

27
28 Chair Fugal opened the public hearing. There were no public comments. Chair Fugal closed the
29 public hearing and brought the discussion back to the commission.

30
31 Commissioner Clyde asked which agreements were in place. Planner Hall was not aware of any
32 agreements but stated that the applicant would come back at a later date for a Conditional Use
33 Permit for a Joint Parking Agreement. Chair Fugal noted that the condition of approval specifies
34 that a Conditional Use Permit would be needed for the Joint Parking Agreement before third-party
35 use would be allowed. Commissioner Blake expressed concern with the amount of parking for
36 school events. Commissioner Clyde noted that the proposed auditorium can accommodate
37 approximately 460 people but there will be only 69 parking stalls. Planner Hall explained that the
38 Code requirement for auditoriums was used. The requirement for an auditorium is one parking
39 space per four fixed seats. With 460 seats, 115 parking spaces are required. 60% of that is the 69
40 spaces, which were provided in anticipation of the eventual Joint Parking Agreement. Planner
41 Hall noted that the reason more parking was not currently required was because the auditorium
42 would be for school functions. Therefore, the ratio for a private school was used.

1
2 There was discussion regarding additional parking. Engineer Beaumont noted that school events
3 are only held occasionally. Community Development Director, Daniel Cardenas commented that
4 the current use is exclusively for the school and the ratio was for daily use. The Planning
5 Commission discussed the difference between school and commercial functions. Chair Fugal
6 noted that it is important to consider the frequency of events. Third-party events would have a
7 much higher frequency than school events.
8

9 **MOTION:** Commissioner Clyde moved that the Planning Commission forward a
10 recommendation of APPROVAL for the request of Bruce Mackay for the proposed site plan
11 amendment on property at 2464 West 450 South, in the Grove Zone – Mixed Housing Subdistrict;
12 and adopting the exhibits, conditions, and findings of the staff report, and as modified by the
13 conditions below:
14

- 15 1. A Conditional Use Permit for a joint parking agreement will be reviewed and approved
16 before the auditorium may be used for third-party use.
17
- 18 2. All Final Planning, Engineering, and Fire Department requirements are met.
19

20 Commissioner Butler seconded the motion. The Commissioners unanimously voted “Aye”. The
21 motion carried.
22

23 **ITEM 2 – Public Hearing – Conditional Use Permit - Located at 550 West 220 South (Sam**
24 **White’s Lane Neighborhood). Public Hearing to Consider the Request of Andrew K. Strong for a**
25 **Conditional Use Permit to Allow General Storage, Use #6376, on Property Located at 550 West**
26 **220 South, in the C-G (General Commercial) Zone.**
27

28 Planner Hall presented the request of Andrew K. Strong for a Conditional Use Permit to allow
29 General Storage (Use #6376) on property located at approximately 550 West 220 South in an
30 existing building. The use was listed as a conditional use in the C-G (General Commercial) Zone.
31 The applicant intends to have storage as a primary use at this location for both personal and
32 business-related uses. The applicant indicated that they have no employees and no customers will
33 visit the location. Planner Hall displayed an aerial map of the property. Staff found the proposed
34 use to be compatible with the C-G (General Commercial) Zone and neighboring uses. City Code
35 allows Conditional Use Permits to be approved given the following conditions are met:
36

- 37 1. A Conditional Use Permit may be granted if the subject use will not be detrimental to
38 the health, safety, or general welfare of persons residing in the vicinity or injurious to
39 property in the vicinity;
40
- 41 2. A proposed conditional use shall be detrimental to the health, safety, or general welfare
42 of persons residing in the vicinity or injurious to property in the vicinity, if:

- a. The use will cause unreasonable risks to the safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes;
- b. The use will unreasonably interfere with the lawful use of surrounding property;
- c. The use will create a need for essential city services which cannot be reasonably met; and
- d. The use will in any other way be injurious to property in the vicinity. (Ord. 2000-23, 7-18-2000).

The use will take place within the building and no negative effects are anticipated to the general health, safety, or welfare of other persons or businesses in the vicinity. Planner Hall reported that the most significant impact of the use relates to parking generation. However, the use will generate similar or comparatively less parking compared to other uses within the C-G (General Commercial) Zone.

Planner Hall shared the site plan with the Planning Commission. The use was to take place in Building 'L' and two neighboring buildings, Buildings M and N, were also approved with the site plan. The project was approved as part of a larger project, Majestic Meadows Condominiums – Plat G, and included the three buildings.

To develop an estimate of the current parking needs, staff took inventory of the existing uses within Building M (484 West 220 South) and Building N (470 West 220 South). Building M has three units, two of which are currently occupied. For Building M the estimated parking requirement is 15 stalls. Building N has a total of four units, all differing in size. The largest unit is on the main floor, and three smaller units are located in the basement. Three of the four units are currently occupied. For Building N the estimated parking requirement is 23 stalls. For Buildings N and M 38 parking spaces are required. These buildings exceed the parking requirements that were estimated at the time the site plan was approved.

In Building L there are two units. There is an existing tenant, Swim Kids, LLC, that occupies the eastern portion of the building (approximately 4,200 square feet). DHB Solutions, the proposed general storage use, will occupy the smaller, western portion of the building (approximately 2,660 square feet). The parking ratio that staff determined for Swim Kids, LLC for Building L was 21 stalls. The applicant's proposed use is general storage. Because the parking requirements in City Code Chapter 18: Off-Street Parking is limited to a small list of uses, staff needed to determine which requirement was the closest fit.

1 For the proposed use, general storage (Use #6376), Staff found that the parking requirement for a
2 warehouse may be best suited. The parking ratio for a warehouse is one stall per employee or one
3 stall per 6,000 square feet. As a result, the estimated parking requirement will be one stall. For
4 Building L the total parking estimate is 22 spaces. Staff determined that the anticipated parking
5 needs for the conditional use will not cause unreasonable risks to the safety of persons or property
6 because of parking and would not create any additional need for essential City services.

7
8 Staff compared the number of parking spaces required for all three buildings with the number of
9 parking stalls provided on the approved site plan. The total number of parking stalls required for
10 all three buildings is 60. Based on the site plan, there are 76 parking stalls to be shared between
11 the buildings. Planner Hall shared an estimated site plan for the parking requirements. The City
12 mitigates parking issues by ensuring that the number of stalls required does not exceed the number
13 of stalls provided and parking estimates are reevaluated upon new business license applications.
14 Staff reviewed the application and determined that the proposed use meets the requirements of the
15 C-G (General Commercial) Zone and a Conditional Use Permit. Staff recommended approval
16 with the conditions listed in the staff report.

17
18 Chair Fugal opened the public hearing. There were no public comments. The public hearing was
19 closed. Chair Fugal brings the discussion back to the commission.

20
21 **MOTION:** Commissioner Coombs moved that the Planning Commission forward a
22 recommendation of APPROVAL for the request of Andrew K. Strong for a Conditional Use Permit
23 to allow general storage (Use #6376) on property located at approximately 550 West 220 South in
24 the C-G (General Commercial) Zone; and adopting the exhibits, conditions, and findings of the
25 Staff Report, and as modified by the condition below:

- 26
27 1. All Final Planning, Engineering, and Fire Department requirements are met.

28
29 Commissioner Phillips seconded the motion. The Commissioners unanimously voted "Aye". The
30 motion carried.

31
32 **ITEM 3 – Public Hearing – Text Amendment – Section 10-18: Off-Street Parking Standards**
33 **(Downtown Village Zone).** Public Hearing to Consider the Request of John Andrew Armstrong
34 to Amend City Code Section 10-18: Off-Street Parking Standards, by Modifying Parking
35 Requirements for Retail and Office Uses Only Within the Downtown Village Zone and Limited
36 to the Downtown Commercial Subdistrict.

37
38 Item 3 was continued to the January 28, 2021, Planning Commission Meeting.

1 **ITEM 4 – Public Hearing – Conditional Use Permit – Located at Approximately 2932 North 1130**
2 **West (Manila Neighborhood). Public Hearing to Consider the Request of Jeff Brimhall for Use**
3 **#6299, for a Reception Center, on Property Located at Approximately 2932 North 1130 West, in**
4 **the R-R (Rural Residential) Zone.**

5
6 Chair Fugal reported that Items 4 and 5 would be presented together.

7
8 **ITEM 5 – Public Hearing – Conditional Use Permit – Located at Approximately 2932 North 1130**
9 **West (Manila Neighborhood). Public Hearing to Consider the Request of Jeff Brimhall for Use**
10 **#7400, for an Athletic Facility, on Property Located at Approximately 2932 North 1130 West, in**
11 **the R-R (Rural Residential) Zone.**

12
13 Director Cardenas reported that Items 4 and 5 relate to an application that was continued from a
14 previous Planning Commission Meeting. The application is related to Conditional Use Permits,
15 which includes Use #6299 for a Reception Center and Use #7400 for an Athletic Facility on
16 property located at approximately 2932 North 1120 West. Both uses are permitted as Conditional
17 Uses in the R-R (Rural Residential) Zone. Adding conditions to a Conditional Use Permit allows
18 the Planning Commission to mitigate potential negative impacts to the surrounding areas. Director
19 Cardenas shared a zoning map with the Planning Commission.

20
21 The proposed use is similar to Stone Gate and the PEAC but is not located in the same zone. Stone
22 Gate and the PEAC are located in a Commercial Zone whereas the applicant is proposing a
23 commercial use in a residential zone. Director Cardenas shared an aerial map of the area. He
24 noted that the property will be surrounded by homes. Staff proposed several conditions for the
25 Reception Center and Athletic Facility, as outlined in the staff report.

26
27 Director Cardenas discussed the condition related to a six-to-eight-foot masonry wall. He reported
28 that when a Commercial Zone is next to a Residential Zone, a wall is required to mitigate noise,
29 dust, lights, and other potential nuisances. Director Cardenas noted that the Planning Commission
30 could choose to adjust or eliminate any of the proposed conditions outlined in the staff report.

31
32 Chair Fugal and Commissioner Blake asked about the parking requirements. During the previous
33 Planning Commission Meeting, the parking requirements were based on a standard that required
34 one parking space per 100 square feet, similar to a private club. The current parking requirements
35 mentioned one parking space per 200 square feet, which is a dance hall requirement. Director
36 Cardenas explained that after reviewing previous staff reports for similar uses, he felt that the one
37 parking space per 200 square feet was more appropriate.

38
39 Director Cardenas discussed the reason the hours of operation had been removed from the list of
40 proposed conditions. He noted that there was an ordinance that defined day and night (day starts
41 at 7:00 a.m. and night starts at 10:00 p.m.) but there was not an ordinance that defined hours of
42 operation. Chair Fugal noted that all of the other code requirements, such as light and noise, would

1 need to be met. Director Cardenas reported that staff proposed a condition that specified that the
2 decibel level could not exceed 70 decibels during the day and 60 decibels at night.

3
4 Chair Fugal asked about previous complaints at the Barbwire and Lace venue. Director Cardenas
5 reported that three years ago, he spoke with the neighbors in that area. The most common
6 comments related to the need for a wall to mitigate noise. Director Cardenas believed that some
7 of the proposed staff conditions for the Brimhall property would mitigate concerns previously
8 raised by residents near Barbwire and Lace. Commissioner Clyde wondered whether the 6-to-8-
9 foot wall was required on the north side of the property. Director Cardenas explained that it is not
10 required currently because there are currently no homes there.

11
12 Engineer Beaumont discussed access to the property. He reported that 900 West is currently a
13 two-lane collector street and will eventually become a three-lane collector street. Engineer
14 Beaumont noted that 2900 North had been constructed in the last year or two. He expressed
15 concerns related to left-hand turn conflicts in the center lane. Staff recommended that the
16 minimum offset from the center of 2900 North to the center of the receiving lane for the left-hand
17 turn be at least 150 feet. Anything above that would also be acceptable. Engineer Beaumont did
18 not believe that a Traffic Impact Study would be necessary.

19
20 The applicant, Jeff Brimhall, believed some of the proposed conditions were reasonable and could
21 be implemented. He suggested that recycled asphalt pavement be used on the property for parking
22 areas and driveways as it would be beneficial for the environment and also less expensive.
23 Mr. Brimhall discussed the 6-to-8-foot fence and stated that many neighbors indicated that they
24 did not want a fence to be constructed as it would block their views. Mr. Brimhall believed that a
25 noise limitation would be a better option than a fence. He played music at 100 decibels from inside
26 the barn and measured the noise from the property line directly south. It registered at
27 approximately 50 decibels. If the noise ordinance was unable to be met or there are complaints,
28 there could be a condition requiring Mr. Brimhall to put up a fence at that time.

29
30 Commissioner Phillips asked if there was an elevation difference between the property and the
31 neighbors. Mr. Brimhall explained that there was a slight elevation change from the west side of
32 the barn to the east side and out to the street, but the elevation was the same around the property.
33 He discussed potential solutions for the future left-turn conflict but noted that there is not currently
34 a turn lane or a conflict. Mr. Brimhall believed that the best place for the property entrance was
35 in the location shown on the site plan. He was, however, open to changing the location if
36 necessary. For instance, it could be a right-in-right-out-only property with a median in the middle
37 of the road. That would prevent visitors from turning left. They would need to access the property
38 coming south on 900 West and would need to turn right toward 2600 North to leave. Mr. Brimhall
39 noted that he had been observing traffic in the area and around Stone Gate on event nights. He felt
40 that traffic was not much of a concern.

1 Director Cardenas shared images of the building with the Planning Commission. He reported that
2 once a review is done on the site plan, the building at its peak could be a maximum of 25 feet or
3 the height of the main dwelling, whichever is more restrictive. Director Cardenas addressed the
4 concerns raised by Mr. Brimhall about the conditions. He stated that unless the applicant has a
5 written agreement with all of the neighbors, staff believed the 6-to-8-foot wall recommendation
6 was appropriate. Commissioner Coombs noted that the current neighbors may not want a fence,
7 but future neighbors may feel more comfortable with a fence in place.

8
9 Mr. Brimhall reported that he visited other reception centers in Pleasant Grove. None have an
10 eight-foot fence in place and many fences are not solid. He did not believe it was beneficial for
11 the City to force neighbors to have a fence if they do not want one. Director Cardenas pointed out
12 that the other reception centers in the City are in Commercial Zones.

13
14 Chair Fugal asked Engineer Beaumont to address future concerns related to left-hand turns.
15 Engineer Beaumont commented that there was enough width that if a car was stopped to turn, they
16 would be able to go around on the shoulder. However, he felt that extending the concerns to a
17 future date would make enforcement difficult. Engineer Beaumont stated that Mr. Brimhall may
18 need to extend the access up further to achieve the 150-foot separation. He believed it was
19 important to determine the requirements at the time of the site plan and Conditional Use Permit
20 approval to prevent future enforcement issues.

21
22 Chair Fugal opened the public hearing.

23
24 *Cashe Decker* lives near the Brimhall property and expressed concern that Mr. Brimhall is
25 minimizing some of the concerns and conditions. He believed there was a reason for a fence
26 between residential and commercial properties. Mr. Decker did not want people wandering into
27 his yard during events. He felt that if a commercial business is being brought into the
28 neighborhood, it needs to be treated like a commercial business. Mr. Decker reiterated that he
29 wanted a fence put in place. He noted that the original staff report specified that there would be
30 two events held per month but that language was eliminated from the current conditions.

31
32 *Suzette Davis* lives next to the Brimhall property and expressed concern regarding traffic and
33 parking in the neighborhood. She was also worried about the safety of children in the area when
34 events are taking place. Ms. Davis asked if the three-lane road has always been in place.
35 Engineer Beaumont explained that it had been part of the Master Plan for approximately 30 years.
36 The current width would accommodate the three-lane collector street that was required. Ms. Davis
37 noted that there was already a lot of traffic in the area. She wondered who would be responsible
38 for enforcement of the proposed conditions. She did not feel it was appropriate for the neighbors
39 to continually have to phone the police when rules are broken.

40
41 *Amy Decker* was concerned that there are no hours of operation stated in the proposed conditions.
42 She appreciated Mr. Brimhall's initiative to conduct a traffic study on his own. However, she

1 reported that there was a lot of traffic on the road and people often park in the neighborhood for
2 events. Ms. Decker wanted a fence and did not know anyone who was in favor of the Reception
3 Center. She asked the Planning Commission to consider the nearby residents.

4
5 There were no further public comments. Chair Fugal closed the public hearing and brought the
6 discussion back to the commission.

7
8 Commissioner Blake asked Mr. Brimhall if he still planned to have 100 to 150 people on the
9 property for events. Mr. Brimhall felt that was still an appropriate number but stated that there
10 could potentially be more than that at any given time. Commissioner Blake asked about the
11 number of events that would take place per month. Mr. Brimhall was unsure. He noted that the
12 number of events may vary based on the time of year. As long as the noise is mitigated and parking
13 remains on-site, he did not believe the number of events would be an issue. Commissioner Blake
14 noted that the original staff report specifies that the facility was only intended to be used once or
15 twice a month. She wondered what had changed. Mr. Brimhall explained that he had been unsure
16 about the number of events.

17
18 Chair Fugal brought up the issue of enforcement. He explained that there would still be ordinances
19 in place and there is a Code Enforcement Officer who could look into any complaints. Chair Fugal
20 felt that the current noise and nuisance ordinances within the City were sufficient. Commissioner
21 Blake asked about hours of operation. Since the proposed facility is in a residential zone, she felt
22 that it would be appropriate to have a cut off time.

23
24 Commissioner Steele discussed lighting on the property. He noted that many residential properties
25 leave lights on at night for security reasons. The Brimhall property would likely leave lights on at
26 night for the same reason. Commissioner Steele believed that a Lighting Plan would help manage
27 light pollution onto other properties. Commissioner Blake brought up potential noise issues. She
28 wondered if the facility should have hours of operation imposed so that cars are not constantly
29 entering and exiting the property. It was noted that there would be a 6-to-8-foot fence specifically
30 for noise mitigation. Commissioner Steele pointed out that the Conditional Use Permit conditions
31 state that issues needed to be mitigated. Mitigation does not necessarily mean that issues will be
32 eliminated entirely.

33
34 Commissioner Clyde discussed Barbwire and Lace and noted that the venue ensures that no street
35 parking takes place. That would be up to the owner to implement. He expressed concerns about
36 lighting on the Brimhall property. Commissioner Clyde asked Engineer Beaumont about the
37 suggestion to use recycled asphalt pavement. Engineer Beaumont did not believe the City
38 ordinances would allow for that material to be used. It is often used to shoulder roads but not for
39 parking lots or a paved entrance into a commercial site.

40
41 The Planning Commission discussed the number of people permitted on the property at a given
42 time. Commissioner Blake pointed out that a limit was included in the staff report last month but

1 was removed from the current staff report. She wondered if the goal was to limit the number of
2 people on the property or if the concern primarily pertained to parking. Commissioner Steele
3 noted that the mitigation efforts relate to noise, lighting, traffic, and parking. He did not believe
4 that the number of people was as important. The focus should be to ensure that the noise remains
5 under the proposed decibel levels. Commissioner Blake commented that additional noise was
6 associated with more guests. Chair Fugal stated that the number of people permitted in the building
7 would be dictated by Fire Code.

8
9 Commissioner Steele believed that the issues that concern the Planning Commission would be
10 mitigated by existing codes and conditions. For instance, the applicant needs to provide enough
11 parking, solve the left-hand turn issue, build a wall to mitigate noise and make sure lights do not
12 shine onto neighboring properties. Commissioner Blake noted that a lot was changed from the
13 original staff report. She did not believe the area would maintain a residential feel. Commissioner
14 Steele pointed out that the goal of the Conditional Use Permit was not to maintain a residential
15 feel but to mitigate potential impacts to neighboring properties.

16
17 The Commissioners discussed the parking requirements. Engineer Beaumont explained that one
18 parking space per 200 square feet would require 25 parking spaces for a 5,000 square foot reception
19 center. Commissioner Blake commented that the number of parking stalls would not necessarily
20 be representative of the number of people on the property. Chair Fugal noted that the business
21 will lose its license if the Fire Code is not followed.

22
23 Commissioner Butler stated that the original staff report listed Reception Center hours and Athletic
24 Facility hours of operation. He wondered why they were removed from the current staff report.
25 Chair Fugal stated that there were not those types of restrictions elsewhere in the City, as a result,
26 staff was not comfortable leaving them in. Commissioner Steele noted that hours of operation
27 were not imposed on other facilities in residential areas, such as churches or schools.
28 Commissioner Phillips commented that most school and church activities took place during the
29 day. Commissioner Steele believed that the suggested conditions for the Brimhall property would
30 adequately mitigate potential impacts.

31
32 Proposed condition 7(c) in the staff report was discussed. Chair Fugal believed it should mention
33 the parking requirement and specify that there needs to be one parking space per 200 square feet.
34 Commissioner Steele pointed out that parking standards relate to the minimum amount of parking
35 required. Developers regularly overbuild parking lots. Chair Fugal noted that there should also
36 be a condition related to the 150-foot offset for the entrance. Fencing to the north of the property
37 was also mentioned. The Commissioners discussed the appropriate wording for the revised
38 conditions.

39
40 **MOTION:** Commissioner Steele moved that the Planning Commission forward a
41 recommendation of APPROVAL for the request of Jeff Brimhall for two Conditional Use Permits
42 to allow Use #6299 (other personal services) for a Reception Center and Use #7400, an Athletic

1 Facility, on property located at approximately 2932 North 1130 West, in the R-R (Rural
2 Residential) Zone, and adopt the exhibits, conditions, and findings of the staff report, and as
3 modified by the conditions below:

- 4
- 5 1. No off-site access or parking will be allowed;
- 6
- 7 2. The proposal will be subject to a site plan review and approval by staff;
- 8
- 9 3. Parking facilities will need to be built of impervious materials (asphalt or concrete)
10 as required by the Engineering Department;
- 11
- 12 4. Business license approval will be required for each use (the reception center and
13 athletic facility);
- 14
- 15 5. Any alterations to the existing structure, or construction of new structures, will
16 require a Building Permit;
- 17
- 18 6. The applicant will be required to provide a buffer (6-to-8-foot solid wall) between
19 the subject property and non-owned properties that share a border to the west and
20 south. The buffer (6-to-8-foot solid wall) will be required on the north property
21 line upon development of the property to the north;
- 22
- 23 7. During the site plan review process, the applicant will be required to submit a
24 photometric plan, showing any light that is installed will not illuminate beyond the
25 property's perimeter;
- 26
- 27 8. Noise related to the reception center or athletic facility shall not exceed 70 decibels
28 at day and 60 decibels at night, as measured at the property line;
- 29
- 30 9. The parking on the property will be determined at the rate of 1 parking space per
31 200 square feet of gross floor area;
- 32
- 33 10. On the day of the events held at the reception center, someone will direct traffic to
34 appropriate parking facilities (on-site);
- 35
- 36 11. As soon as the parking need for the uses exceeds the site, the Conditional Use may
37 be revoked;
- 38
- 39 12. The centerline of the entrance to the property must be located a minimum of 150
40 feet from the centerline of any other public street; and
- 41
- 42 13. All Final Planning, Engineering, and Fire Department requirements are met.

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

ITEM 6 – Review and Approval of the Minutes from the December 3, 2020, and December 17, 2020, Planning Commission Meetings.

MOTION: Commissioner Coombs moved that the Planning Commission APPROVE the minutes of the December 3, 2020, and December 17, 2020, Planning Commission Meetings, as amended by Chair Fugal. Commissioner Blake seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

MOTION: Commissioner Coombs moved to adjourn the meeting at 9:38 p.m. Commissioner Butler seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.



Planning Commission Chair



Kara Kresser, Planning Tech



Date Approved