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2
3 PLEASANT GROVE CITY
4 PLANNING COMMISSION MEETING MINUTES
5 February 25, 2021
6

7 **PRESENT:** Chair Bobbi Jo Blake, Commissioners, Todd Fugal, Lisa Coombs, Jeffrey Butler,
8 Tim Clyde, 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
14

15 Planning Commission Chair, Bobbi Jo Blake called the meeting to order at 7:00 p.m.
16

17 Chair Blake thanked Commissioner Fugal for his service as Planning Commission Chair over the
18 past year.
19

20 **Commission Business:**
21

22 1. **Pledge of Allegiance and Opening Remarks:** Commissioner Coombs led the Pledge of
23 Allegiance. Commissioner Phillips gave the opening remarks.
24

25 2. **Agenda Approval:**
26

- 27 • **MOTION:** Commissioner Coombs moved to APPROVE the agenda as part of
28 public record, with a continuation of items 1, 2, 5, 6, and 7 to the Pleasant Grove
29 Planning Commission Meeting on March 11, 2021. Commissioner Philips
30 seconded the motion. The Commissioners unanimously voted "Aye". The motion
31 carried.
32

33 3. **Staff Reports:**
34

- 35 • **MOTION:** Commissioner Coombs moved to APPROVE the Staff Reports as part
36 of the public record. Commissioner Philips seconded the motion. The
37 Commissioners unanimously voted "Aye". The motion carried.

1
2 **4. Declaration of Conflicts and Abstentions from Commission Members.**
3

4 There were no conflicts of interest.
5

6 **ITEM 1** – Public Hearing – Rezone – Located at Approximately 1445 North 600 West (North
7 Field Neighborhood). Public Hearing to Consider the Request of Artisan Construction, LLC to
8 Apply the R1-10 (Single-Family Residential) Zone to Approximately 9 Acres on Property
9 Currently Zoned R-R (Rural Residential) Zone, located at Approximately 1445 North 600 West.
10

11 Item 1 was continued to the March 11, 2021, Planning Commission Meeting.
12

13 **ITEM 2** – Public Hearing – Vicinity Plan Amendment – Located at Approximately 1445 North
14 600 West (North Field Neighborhood). Public Hearing to Consider the Request of Artisan
15 Construction, LLC to Amend the Vicinity Plan for Future Local Roads Near 600 West (Existing)
16 and Future 1,500 North and 750 West, Near Property located at Approximately 1445 South-North
17 600 West in the R-R (Rural Residential) Zone. ***Continued from February 11, 2021, ***
18

19 Item 2 was continued to the March 11, 2021, Planning Commission Meeting.
20

21 Chair Blake noted that Items 3 and 4 would be presented together.
22

23 **ITEM 3** – Public Hearing –Text Amendment – Section 10-14-27-2E: Storage (The Grove Zone
24 District – Boulevard Mixed-Use Overlay). Public Hearing to Consider the Request of McKay
25 Christensen to Amend City Code Section 10-14-27-2E: Storage, by Modifying Limitations for
26 Storage Uses within any Unit, only within The Grove Zone District – Boulevard Mixed-Use
27 Overlay.
28

29 **ITEM 4** – Public Hearing: Text Amendment – Section 10-14-27-3A: Density of Allowed Uses
30 (The Grove Zone District – The Boulevard Mixed-Use Overlay. Public Hearing to Consider the
31 Request of McKay Christensen to Amend City Code Section 10-14-27-3A: Density of Allowed
32 Uses, by Changing the Requirement for Certain Dedicated Uses, for Buildings, Parking Areas,
33 Drive Aisles, and/or Outparcel Directly Fronting Pleasant Grove Boulevard, within a Minimum
34 Buffer of Sixty Four Feet (64'), only within the Grove Zone District – Boulevard Mixed-Use
35 Overlay.
36

37 Community Development Director, Daniel Cardenas presented the request of McKay Christensen
38 to amend City Code Section 10-14-27-2E. He shared the aerial map, zoning map, and the proposed
39 City Code amendments with the Planning Commission. He explained that the Mixed Overlay zone
40 was created for this 10.7-acre parcel. The intention was to have commercial and residential
41 development next to each other in the same building. It was a new idea when it was first presented
42 to the City Council since no single parcel fronting the Boulevard that has residential units. The

1 Boulevard in the Grove, which is referred to as the gateway to the City has all commercial uses.
2 The proposal was to have residential uses approved for the growth of the zone.

3
4 The applicant proposed a density of 25 units per acre when the first application was submitted.
5 The Planning Commission recommended 21 units per acre and the City Council approved 22 units
6 per acre. The approval required 25,000 square feet be dedicated to sales tax-generating uses, which
7 the applicant was proposing to amend. In the Commercial zone, offices and services are allowed,
8 which attract a different type of tax other than sales tax. Sales taxes come specifically from retail,
9 restaurants, and other businesses they are trying to bring into the zone.

10
11 According to the Code, historical uses such as storage and car washes were specifically not allowed
12 in the zone. For new retail uses such as a restaurant being established in the zone, must have a
13 storage area. The storage was capped at 1,500 square feet for a 5,000 square-foot restaurant. The
14 1,500 square-foot storage requirement was just less than 50% but very small compared to the
15 minimum. The applicant proposes to amend the 1,500 square-foot storage requirement by
16 increasing the storage from 1,500 to 6,000 square feet for any sales tax-generating use in the zone.

17
18 The applicant was also proposing the elimination of a commercial-only buffer that was created for
19 the zone. The first plan included the option of having an apartment complex with the main floor
20 being used for commercial purposes. The parking in front would be dedicated to the commercial
21 uses. There would be a 64-foot buffer that would allow parking on both sides of the driveway that
22 was to be used for commercial uses only. The applicant proposed to change this and allow parking
23 for residential units along Pleasant Grove Boulevard.

24
25 The applicant, McKay Christensen, explained that the flex space or storage is an idea they would
26 accomplish what they are trying to do. With regard to the parking issue along Pleasant Grove
27 Boulevard, they would want to maintain 25,000 square feet of retail and not diminish it. Taking
28 the site plan into consideration and developing it as it is made them realize that things by nature
29 move around.

30
31 The COVID-19 pandemic has changed how retail is developed. Sit-down and fast-casual
32 restaurants are increasing in number and the fast-casual restaurants are demanding drive-thrus.

33
34 With regard to storage, Mr. Christensen stated that they were not looking for a warehouse but
35 something similar to the interior concepts where a user would have approximately 6,000 square
36 feet of retail space. This would be roughly 6,000 square feet of storage and an additional 6,000
37 square feet of storage for the office on the second story.

38
39 Mr. Christensen explained that when the first plan was drafted, they never thought a retail space
40 would need much storage space, but the proposal now seeks to change this to not more than 6,000
41 square feet. It would be no more than 50% of the total use of the total building itself. The change
42 would allow a tenant to have retail sales out of the store and enough storage for the items they are

1 selling. The intent of the parking proposal was to protect the front of the building and the 25,000
2 square feet of retail.

3
4 The retail would be pulled to the front since the best retail locations for the site are on the hard
5 corners. Three hard corners were created by putting a road on the 100 South end. One corner is
6 on the west side of 100 South, the other on the east side, and the third at Proctor and Pleasant
7 Grove Boulevard.

8
9 The parking language specifies that the 65-foot buffer off of Pleasant Grove Boulevard needs to
10 be designated for commercial uses. The applicant is proposing to take the parking and move it
11 against Proctor Lane and up 100 South. This would mean they are outside of the 65-foot buffer
12 and have more retail parking spaces. The intent was to reorient the parking without losing any
13 retail space.

14
15 Commissioner Clyde asked what would preclude the applicant from modifying it again, given that
16 the applicant was seeking a Code text update that provides for a wide range of changes.
17 Mr. Christensen responded that they had no plans to change the overall intent and every change
18 will be dealt with on an individual basis.

19
20 Commissioner Clyde clarified that the proposal aims to adjust the storage volume depending on a
21 specific business that is unlikely to exist in the next 10 years. As a result, they are modifying it
22 for that purpose. He clarified that the interior layout architecture is closer to that of a showroom
23 in that the occupant will showcase items, as opposed to a storage space. They do not look at an
24 individual or a specific prospective occupant when making changes and instead look at the
25 property in its entirety and what it could become in 10 years.

26
27 Mr. Christensen explained that the occupants will sell all of the items being stored in the storage
28 area. The Code text amendment would only affect this property, the Boulevard overlay, and not
29 the City as a whole or any other place in the City.

30
31 Mr. Christensen gave a slide presentation showing the suggested amendments.

32
33 Commissioner Fugal asked if the residents will be able to directly access the businesses and the
34 retail section from the parking that is created. Mr. Christensen explained that residents can access
35 the retail and commercial sections from the newly built parking because the 65-foot buffer prevents
36 them from having residential parking in that space.

37
38 Commissioner Clyde asked why the 193 units need so much parking. Mr. Christensen stated that
39 to meet the parking requirements for all 193 units, parking is needed. For viable retail there must
40 be a hard corner with a stoplight since retailers want a place where they can quickly turn in, easily
41 access their products, be able to park immediately, have good visibility, ease of access, and be able
42 to quickly exit.

1
2 Mr. Christensen stated that the parking lot is required to meet the parking code for all 193 units.
3 He clarified that in order for retail to be feasible, there must be a hard corner with a stoplight so
4 vendors want to be able to instantly turn in, conveniently access their merchandise, park
5 immediately, provide complete visibility, ease of access, and ease of exiting the parking lot.
6 Mr. Christensen confirmed that they are seeking permission to build residential parking in the
7 overlay zone.

8
9 Commissioner Phillips approved of the parking arrangement. He was opposed to the storage plan
10 because the applicant seemed to be proposing several modifications.

11
12 Commissioner Butler commented that the language is a source of concern because it is required to
13 protect both the City and the applicant. As a result, a consensus on the language is required.

14
15 Chair Blake voiced concerns regarding the applicant's use of commercial parking to fulfill the
16 residential parking requirements. It appeared that they were attempting to a bait and switch to
17 obtain more residential parking while paying less. She hinted that there had been discussion about
18 having underground parking on the property at one point. Mr. Christensen stated that it was not
19 underground parking but rather a podium that is similar to what they are proposing. He noted that
20 it will be visible from the street.

21
22 Chair Blake stated that with the proposed design the parking will be visible and consume the entire
23 front portion. Mr. Christensen stated that they intend to meet all of the requirements to make the
24 zone feasible for restaurants and other tenants. A cooperative dialogue was required to understand
25 the intentions of the Commission and the applicant and find a way to accomplish both. The plan
26 was to rearrange the parking to make room for 25,000 square feet of retail space and 193 units on
27 the property.

28
29 Commissioner Butler explained that if the 1,500 square-foot storage setback limits the type of
30 retail that can be developed, the City can be more flexible with the language. If a company leaves
31 the property, the City receives assurance that whatever business replaces it will be a suitable option
32 that will pay retail sales tax to the City. Mr. Christensen agreed and confirmed that the change to
33 the Code text would only refer to this plot and not the others.

34
35 Commissioner Philips wondered if the retail office space, like the retail storage, would be purely
36 incidental. Director Cardenas stated that it would not be purely incidental since there is no other
37 zone with a sales tax requirement. The intention was to bring the rough corners of 25,000 square
38 feet of retail. The applicant was proposing to provide 6,000 square feet of office space in the retail
39 space. This will be determined by the developer's existing requirements and specifications.

40
41 The prior plan was to bring the commercial to the front of the building, which would constitute a
42 significant change in terms of parking. The Code was written with the understanding that the home

1 is new and in a different location from the existing one. To reflect the modifications in the building
2 design and location, the applicant recommended changes to the Code. Because the zone and rules
3 did not exist, the entire office problem was a new phenomenon. Director Cardenas suggested that
4 something be published to address it.

5
6 Commissioner Steele was concerned that retail business owners will sublease their retail spaces to
7 insurance brokers, resulting in less sales tax revenue. According to McKay Christensen, business
8 owners are free to do what is right for their business as long as they comply with the guidelines set
9 forth in the Code.

10
11 Director Cardenas recommended that the proposal be tailored and that the overlay zone be
12 subjected to conditions. Commissioner Steele clarified that shipments to other states increase sales
13 tax revenue for cities where the sales were made and not for Pleasant Grove. He pointed out that
14 the proposal reduces the amount of sales tax revenue generated by 25%. Since the existing setback
15 is 1,500 square feet for every 25, 000 square feet, dedicating 6,000 square feet to storage, an
16 additional 6,000 square feet will leave just 12,000 square feet of sales tax-generating usage.

17
18 Mr. Christensen reported that the 25% reduction could have been due to an error in his calculation.
19 He understood that out of the required 25,000 square feet, 50% is required to be sales tax-
20 generating use. Director Cardenas explained that the entire 25,000 square feet needs to be a sales
21 tax-generating use. Director Cardenas assumed that the 25,000 square feet of commercial space
22 would be supplemented by an office, bringing the total square footage to nearly 30,000 square feet.

23
24 Chair Blake opened the public hearing. There were no public comments. The Chair closed the
25 public hearing and invited the Commission to either continue the discussion regarding this item or
26 she would entertain a motion if no further discussion was necessary.

27
28 In terms of accommodation, a restaurant's kitchen and break room are not referred to as storage
29 areas. For the restaurant, a walk-in freezer and spaces should be considered storage areas. Director
30 Cardenas stated that if a company has additional storage space, it can be expanded for office use
31 but not for retail use.

32
33 Chair Blake suggested that the two items be discussed separately. The options for the storage
34 amendment are to adhere to the 25,000 square-foot requirement or to fit in that one location while
35 reducing the number of items initially agreed upon. Director Cardenas explained that every
36 business must have space to store its inventory. Such space would be considered a retail generating
37 use.

38
39 Chair Blake asked if they were trying to encourage additional retail since they do not want to allow
40 a business with large storage space, which would diminish retail businesses. Commissioner Steele
41 stated that a business with more than 70% of its total space as storage is considered a showroom

1 use and not a retail business. Director Cardenas explained that the City Codes need to be rewritten.
2 The proposed amendment would allow for storage for the retail use.

3
4 Chair Blake reported that maximizing a sales tax-generating use should be accomplished by
5 limiting the retail square footage. Director Cardenas pointed out that limiting the retail square
6 footage would mean that there would be no flexibility in terms of retail businesses in the area. For
7 example, a high-end furniture shop that would require 3,000 square feet would not be allowed in
8 an area where the storage is limited to 1,500 square feet. Chair Blake explained that allowing more
9 storage space for retail businesses would limit the number of retail businesses in the area since one
10 large business would occupy a majority of space and leave less retail space.

11
12 Mr. Christensen requested that it be specified in the text amendment that it is 5,000 square feet,
13 which is 50% of the total building they are requesting. This should be incidental and can only
14 apply to one tenant within the project.

15
16 Commissioner Fugal explained that this would open the Commission to liability as it would be
17 difficult to pick the tenant. He suggested that something be applied consistently throughout the
18 entire area. Chair Blake suggested the matter be continued to the next meeting to allow Director
19 Cardenas and Mr. Christensen to come up with a better language.

20
21 With regard to the parking amendment, Commissioner Steele did not have an issue with the
22 parking but stated that the applicant should not bump the apartment buildings into the buffer zone.
23 Changing from residential to commercial parking would result in changes in the area.

24
25 Chair Blake stated that when the application was presented to the Commission, she envisioned it
26 as a senior living community with commercial on Center Street. The proposed commercial would
27 represent the purpose of the zone with the understanding that the proposal is secondary.

28
29 Chair Blake pointed out that the amendment is acceptable as long as the language is cleaned up to
30 reflect what was discussed.

31
32 **MOTION:** Commissioner Steele moved to continue the request from McKay Christensen to
33 amend City Code Section 10-14-27-38 - Density of Allowed Uses in the Boulevard Mixed-Use
34 Overlay Zone to March 25, 2021, based on the following finding:

- 35
36 1. The language needs to be revised to restrict the presence of residential buildings in the
37 buffer zone.

38
39 Commissioner Coombs seconded the motion. The Commissioners unanimously voted "Aye". The
40 motion carried.

1 **MOTION:** Commissioner Phillips moved to continue the request of McKay Christensen to amend
2 City Code Section 10-14-27-2E - Storage in the Boulevard Mixed-Use Overlay Zone to March 25,
3 2021, based on the following finding:

4
5 1. That language is crafted to reflect what was discussed.
6

7 Commissioner Butler seconded the motion. The Commissioners unanimously voted “Aye”. The
8 motion carried.
9

10 **ITEM 5 – Public Hearing:** Code Text Amendment – Section 10-19-7-E: Miscellaneous Signs,
11 Electronic Message Signs (City Wide). Public Hearing to Consider a Request from Pleasant Grove
12 City to Amend City Code Section 10-19-7E: Miscellaneous Signs, Electronic Message Signs. The
13 Applicant is Proposing to Modify the Requirements for the Establishment of Electronic Message
14 Signs as Well as the Zones Where the Signs are Permitted.
15

16 Item 5 was continued to the March 11, 2021, Planning Commission Meeting.
17

18 **ITEM 6 – Public Hearing:** Code Text Amendment – Section 10-19-2: Definitions for Signs and
19 Outdoor Advertisement (City Wide). Public Hearing to Consider a Request from Pleasant Grove
20 City to Amend City Code Section 10-19-2: Definitions for Signs and Outdoor Advertisement.
21 The Applicant is proposing to Modify the Definition of Electronic Message Center and Change
22 the Established Percentage of the Total Sign Area Dedicated to the Electronic Message Part.
23

24 Item 6 was continued to the March 11, 2021, Planning Commission Meeting.
25

26 **ITEM 7 – City Code Text Amendment – Section 10-15-47C:** Accessory Apartments, Owner
27 Occupied (City Wide). Public Hearing to Consider Amendments to City Code Section 10-14-47C:
28 Accessory Apartments, Owner Occupied, to Further Define the Term “Owner Occupied” for
29 Accessory Apartments and Tiny Homes. ***Continued from February 11, 2021.***
30

31 Item 7 was continued to the March 11, 2021, Planning Commission Meeting.
32

33 **ITEM 8 – Review and Approve the Minutes from the February 11, 2021, Planning Commission**
34 **Meeting.**
35

36 **MOTION:** Commissioner Fugal moved to approve the Minutes from the February 11, 2021,
37 Planning Commission Meeting. Commissioner Phillips seconded the motion. The Commissioners
38 unanimously voted “Aye”. The motion carried.
39

40 **MOTION:** Commissioner Coombs moved to adjourn the meeting at approximately 8:27 p.m.
41 Commissioner Fugal seconded the motion. The Commissioners unanimously voted “Aye”. The
42 motion carried.

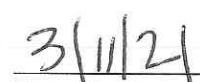
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Planning Commission Chair



Kara Kresser, Planning Tech



Date Approved