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2
3 PLEASANT GROVE CITY
4 PLANNING COMMISSION MEETING MINUTES
5 March 11, 2021
6

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

10 **EXCUSED:** Dustin Phillips, Jeffrey Butler, and Jim Martineau
11

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

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

17 **Commission Business:**
18

19 1. **Pledge of Allegiance and Opening Remarks:** Commissioner Steele led the Pledge of
20 Allegiance. Commissioner Clyde gave the opening remarks.
21

22 2. **Agenda Approval:**
23

- 24 • **MOTION:** Commissioner Coombs moved to APPROVE the agenda as part of
25 public record, as written. Commissioner Clyde seconded the motion. The
26 Commissioners unanimously voted "Aye". The motion carried.
27

28 3. **Staff Reports:**
29

30 Chair Blake reported that the numbering on the staff reports needs to be amended.
31

- 32 • **MOTION:** Commissioner Coombs moved to APPROVE the Staff Reports with
33 the corrections to the numbering. Commissioner Fugal 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 – Public Hearing – Preliminary Subdivision Plat – Located at Approximately 2150 North**
6 **270 East (Big Spring Neighborhood). Public Hearing to Consider the Request of Amplify Worx,**
7 **LLC for a 7-Lot Preliminary Subdivision Plat, called Sunny Cove Estates Plat ‘B’ on Property**
8 **Located at Approximately 2150 North 270 East in the R1-20 (Single-Family Residential) Zone.**

9
10 City Planner, Rylee Hall presented the staff report and stated that the request is for approval of a
11 preliminary subdivision plat for Sunny Cove Estates Plat B within the R1-20 Zone. It was noted
12 that all of the proposed lots are currently part of an existing subdivision. With approval of the
13 subdivision, the two parcels will be vacated and become Lots 8 through 14 of the proposed Sunny
14 Cove Estates Plat B. Street improvements for all of the proposed lots are existing and each lot
15 meets all of the requirements for the R1-20 Zone. The minimum lot size is 20,000 square feet with
16 a minimum frontage of 35 feet and a minimum width of 100 feet. The frontage for the subdivision
17 is provided by 270 East and 2320 North, which are public roads.

18
19 Planner Hall reported that an aqueduct easement runs through each of the lots and will alter the
20 buildable area. For Lots 8 and 9, the buildable area will be on the western side. For Lots 10
21 through 14, the buildable area will be toward the western portion. Staff recommended approval
22 subject to the conditions set forth in the staff report.

23
24 Chair Blake opened the public hearing.

25
26 *Benjamin Blackwelder* identified himself as an adjacent landowner and asked what can be expected
27 with regard to the slope. He stated that the slope is quite extreme and referenced Sections E and F.
28 He asked about the drainage plan and stated that the slope goes into his property. Chair Blake
29 explained that only the plat would be approved tonight. Additional details would be addressed
30 with the site plan.

31
32 City Engineer, Marty Beaumont explained that Sections E and F apply to hillside development
33 with slopes in excess of a 25% grade. Before the site was developed, a Geotechnical Study was
34 conducted and some land at the toe of the hill was modified to address the landslide area. That
35 was resolved previously. They will be required to address drainage to ensure that it flows onto
36 Mr. Blackwelder’s property. He stated that at this point with the residential development they only
37 have site plans. Procedural issues going forward were described. In order for the applicants to
38 obtain a Building Permit they will have to submit a Storm Water Pollution Prevention Plan for the
39 site to ensure that they have addressed drainage that could come off of their site. One of the
40 conditions of approval associated with the plat is that they obtain the access agreement with Provo
41 River Water Users and the Jordan Valley Water Conservancy District. Those agreements must be
42 in place before moving forward to the City Council. Drainage issues were reviewed.

1
2 The building envelope was addressed. Director Beaumont explained that the building envelope is
3 the area where a building can be placed. Within the application, a developer must address how
4 they will accommodate the water and where the home will be placed. Some questions cannot be
5 answered until someone wishes to construct a home. The easement carries with it other restrictions
6 as well.

7
8 There were no further public comments. The Chair closed the public hearing and invited the
9 Commission to either continue the discussion regarding this item or she would entertain a motion
10 if no further discussion was necessary.

11
12 **MOTION:** Commissioner Steele moved to forward a positive recommendation of approval for
13 the request of Amplify Worx, LLC for a subdivision plat called Sunny Cove Estate Plat B on
14 property located at approximately 2150 North 270 East in the R1-20 Single-Family Residential
15 Zone adopting the exhibits and conditions and findings of the staff report with the following
16 conditions:

- 17
18 1. Approval is provided for the Provo River Water Users and Jordan Valley Water
19 Conservancy District for utility and access crossings across a 100-foot aqueduct
20 easement through the properties.
21
22 2. The building envelopes shall be corrected prior to recordation.
23
24 3. All Final Planning, Engineering, and Fire Department requirements are met.

25
26 Commissioner Clyde seconded the motion. The Commissioners unanimously voted “Aye”. The
27 motion carried.

28
29 **ITEM 2 – Public Hearing – Rezone – Located at Approximately 1445 North 600 West (North**
30 **Field Neighborhood). Public Hearing to Consider the Request of Artisan Construction, LLC to**
31 **Apply the R1-10 (Single-Family Residential) Zone to Approximately Nine Acres on Property**
32 **Currently Zoned R-R (Rural Residential) Zone, Located at Approximately 1445 North 600 West.**
33 *****Continued from February 25, 2021*****

34
35 **ITEM 3 – Public Hearing – Vicinity Plan Amendment – Located at Approximately 1445 North**
36 **600 West (North Field Neighborhood). Public Hearing to Consider the Request of Artisan**
37 **Construction, LLC to Amend the Vicinity Plan for Future Local Roads Near 600 West (Existing)**
38 **and Future 1500 North and 750 West, Near Property Located at Approximately 1445 North 600**
39 **West in the R-R (Rural Residential) Zone. ***Continued from February 25, 2021*****

40
41 Chair Blake reported that agenda items two and three would be addressed together.
42

1 Community Development Director, Daniel Cardenas presented the staff report and stated item
2 number three involves a Vicinity Plan Amendment. He explained that a Vicinity Plan is not a
3 subdivision plan, does not identify the location of property lines, and does not specify the size of
4 the lot. It is an idea or concept that the City has already adopted for the future location of local
5 streets on undeveloped lands. It was adopted in 2014 as part of the General Plan and shows all
6 undeveloped pieces of land.

7
8 The area the applicant is proposing to change was displayed. For the raw land, the proposal was
9 to keep a connection north to south and east to west. Director Cardenas stressed the importance
10 of connections. The request was reviewed by the Engineering Department and the applicant is
11 now proposing the Vicinity Plan as presented. The proposed connections were identified. Staff
12 reviewed the concept for local streets and found that it meets the connectivity requirements.

13
14 Director Cardenas next addressed the rezone request. A map was displayed of the specific area.
15 The surrounding area was shown consisting of property zoned R1-8, R1-12, and R1-15. The
16 undeveloped land was zoned for one-half acre lots. The applicant is proposing to go from one-
17 half acre lots to R1-10 zoning. He explained that staff bases its decision on documents that have
18 been previously adopted. Staff will never make a legislative decision or create law. Their job is
19 to provide information to the applicant, the Planning Commission, and the public. He stated that
20 the General Plan is the constitution of Pleasant Grove City with regard to land use. When there is
21 a request for a rezone, staff presents the available options.

22
23 Director Cardenas identified the property the applicant is proposing to rezone the property to Low-
24 Density Residential. The applicant has submitted two proposals. The first is to amend the City's
25 Vicinity Plan and the second is to rezone the property. Staff had not yet reviewed the subdivision
26 plat, which identifies property line, lot sizes, the location of the roads, and coordinates. Director
27 Cardenas explained that in this case the setbacks are not determined by the applicant and must
28 comply with the requirements of the zone. Because the setbacks are the same for R1-15, R1-12,
29 R1-10, and R1-8 are exactly the same. As a result, the building envelopes will be exactly the same
30 with 25 feet in front and back and 10 feet on the sides. Based on the General Plan, staff
31 recommended approval of the rezone.

32
33 Jared Bishop was present on behalf of the Makin Family who owns the property. He described
34 their reasoning for pursuing the Vicinity Plan and stated that one of the issues with the road design
35 was that it limits the lot sizes. The desire was to provide flexibility to allow for mixed lot sizes.
36 The smaller lots would transition from the surrounding areas.

37
38 The property owner, Arden Makin, reported that the project was designed by Artisan who has the
39 copyright on the project. Ownership of the property was described, which is complex as it involves
40 an LLC and a trust. The property was originally purchased by Mr. Makin's father in 1959. He
41 died 10 years later. It then became part of his mother's estate and has been in the family for a long
42 time. Mr. Makin stated that he has lived on the property for 55 years and he cares about the final

1 product. From the family's standpoint, there are 135 people who will benefit from the sale of the
2 property. Of those, 12 are managing it. They also care about the 135 recipients of the development
3 and want a plan that will be in their best interest. He expressed his support for the proposed plan.
4

5 Chair Blake opened the public hearing and stated that several written comments were received,
6 which would be made part of the record.
7

8 *Joshua Scott* lives very close to the subject property and had concerns with the Vicinity Plan and
9 the connection of 1500 North to 1420 North. It creates an intersection with two streets crossing
10 each other. One crosses a major thoroughfare and another juts across and creates a straightaway.
11 He reported that nationally the number of car accidents and fatalities that occur at intersections of
12 four roads as opposed to three is significantly higher. Mr. Scott's primary concern was due to the
13 fact that that is the route his children will take when walking to school and is very close to Manila
14 Elementary School. It poses additional risk that he would like to see addressed. Mr. Scott was
15 also concerned about lot sizes. He could see that the City's intent is to create different zones to
16 allow for different sizes of homes and create fluidity. At some point, the differing lot and home
17 sizes go against the plan itself and the continuity of the neighborhoods. He suggested that the road
18 be offset in the opposite direction and eliminate a four-way intersection.
19

20 *Todd Williams* gave his address in the R1-15 zone. It was important to him that they maintain the
21 integrity of the zone with as large of lot sizes as possible. His concern was that rezoning the
22 property R1-10 will diminish the integrity of the zone. He recommended that the zoning remain
23 above R1-10 at R1-12 or above.
24

25 *Jared Davis*, an adjacent property owner, stated that 600 West is a significant dividing line between
26 the two neighborhoods. New construction is taking place on the west side. The east side of 600
27 West is much different and it is difficult to imagine the two being connected. The new section of
28 the neighborhood being developed is zoned R1-8 and the lots are 13,000 square feet in size. He
29 supported the developer's plan to eliminate a second road to 600 West. He noted that there is no
30 sidewalk to the elementary school and a crosswalk is needed at the entrance to the neighborhood.
31

32 *Zach Chipman*, an adjacent property owner, stated that this is something the City has fought off
33 for some time. He expressed what he felt was best for the community. In this case, the request
34 serves one purpose, which is to make more money for the 135 people involved. The current
35 residents, who are not supportive, will be faced with diminishing home values and increased
36 traffic. Mr. Chipman stated that it has been fought against for a reason and he saw no reason to
37 allow it.
38

39 *David Bishop*, an area resident, echoed the concerns related to the road and stated that in the past
40 two weeks an accident occurred as children were leaving school. He had significant concerns with
41 the road connecting all the way through. Mr. Bishop referred to the City map and stated that as
42 the road curves on the south, it creates a non-conforming lot. The road must be 60 feet wide.

1 Mr. Bishop was informed that that was not being considered tonight and would be addressed with
2 the site plan. Mr. Bishop explained that the Vicinity Plan puts an owner that is not part of the
3 development in a situation where their property is non-conforming because of the design. Portions
4 on the west and north sides of the subject property are zoned for higher density and provide a
5 transition.

6
7 *An unidentified speaker* was present representing the Booths and identified himself as the owner
8 of private property to the south that is not for sale.

9
10 *Randy Sloat* reported that he lives to the north of the proposed development. He was concerned
11 about traffic that will be generated. The traffic has been so bad that residents have put up their
12 own stop signs. Motorists speed in the area and he did not think that the remedy proposed will
13 prevent that and will actually make it significantly worse. He also asked that consideration be
14 given to the potential rezoning. He noted that lot sizes get progressively larger. He was happy for
15 those involved but thought it should be done better.

16
17 *Mr. Scott* stated that of the properties that are directly adjacent to the subject property, 13 will be
18 zoned R1-15 or higher, and six will be R1-12 or higher. Four will be zoned R1-10. None are
19 under 10,000 square feet in size. The average lot size of all adjacent properties is 18,236 square
20 feet and the median size is 15,246 square feet.

21
22 *Mr. Jared Bishop* explained that they actually touch more R1-8 than R1-15 and R1-12. They do
23 not go from larger to bigger than smaller. They will transition from R1-10, which will be their
24 smallest lots. They will transition so that by the time they touch the R1-15 they will be between
25 13,000 and 15,000 square feet. The averages address other properties that are not currently
26 developed. The average of homes that have been developed was closer to what has been discussed.
27 He stated that they will be coming back in the near future and clarified that the plan they are
28 proposing is the one being discussed.

29
30 The Chair closed the public hearing and invited the Commission to either continue the discussion
31 regarding this item or she would entertain a motion if no further discussion was necessary.

32
33 Commissioner Fugal did not consider R1-10 lots to be high density. He felt that the roads were
34 designed to accommodate increased traffic unless there is a concern at the four-way intersection
35 that the Engineering Department can address. He stated that it had, however, been addressed with
36 the Vicinity Plan.

37
38 Director Beaumont explained that 600 West is a collector street and will be stop-controlled. He
39 noted that every intersection has the same issue and the four-way stop does not prevent people
40 from running it. An intersection is recommended here. The area where traffic has to jog and make
41 a turn creates a greater potential concern for traffic. He acknowledged that there are concerns that
42 will be addressed at the time of development. He stated that this is a very standard type of

1 development and many are not yet used to it. There will be more traffic coming through the area
2 than they are used to. The volume difference between R1-12 and R-10 was negligible. He clarified
3 that the intersection will be a two-way stop.
4

5 Chair Blake felt that what is proposed makes the situation safer because it eliminates one of the
6 access roads close to the school. She asked about the issue with the undeveloped property to the
7 south and if it will create an issue for future development. Director Beaumont explained that the
8 original plan included a road plan. This property is 130 feet wide and in order to construct a 56-
9 foot wide road, which is the standard, it does not leave enough width for a developed lot. There
10 is a flag lot and a stem road that would be very beneficial in the design. Both homes on the flag
11 stem would realign and tie into a public street rather than having a flag stem along the public street.
12 If that was accommodated, it would meet the width requirement. It creates an issue with the lots
13 on the Booth property that would have to be addressed.
14

15 Chair Blake asked if anything can be done with respect to the Vicinity Plan to make it less of an
16 issue. Director Beaumont stated that the proposed layout is the preference in that it allows direct
17 access onto public streets for all of the lots. One option was to move the street up to accommodate
18 a future road. One of the problems that would create would be that people would back down the
19 front doors of the two homes on the flag stem. Various possibilities were discussed as well as why
20 the proposed change to the Vicinity Plan is a better option.
21

22 Chair Blake remarked that they are guided by the General Plan which allows for R1-10 in the area
23 and it is consistent with what is taking place in the area. She saw no reason to deny that. She
24 recognized the concern that any adjacent properties may not be that same size but to her knowledge
25 that was not a requirement. She also noted that an R1-10 lot is not small and is substantial.
26

27 Commissioner Steele thought that the transition from R1-8 to lower densities was reasonable. He
28 preferred consistency for not creating islands. He recognized that R1-8 is not a possibility here.
29 He considered R1-10 to be a reasonable transition. The concerns relative to the sidewalks and
30 traffic relate to development of the property and not to the density.
31

32 **MOTION:** Commissioner Fugal moved that the Planning Commission recommend approval of
33 the request of Artisan Construction, LLC for a Vicinity Plan Amendment for property located at
34 approximately 1445 North 600 West and adopting the exhibits, conditions, and findings of the
35 staff report, as modified by the condition below:
36

- 37 1. That all final Planning, Engineering, and Fire Department requirements are met.
38

39 Commissioner Coombs seconded the motion. The Commissioners unanimously voted "Aye". The
40 motion carried.
41

1 **MOTION:** Commissioner Fugal moved that the Planning Commission recommend that the City
2 Council approve the request of Artisan Construction, LLC for a rezone of approximately nine acres
3 from the R-R (Rural Residential) Zone to the R1-10 (Single-Family Residential) Zone for property
4 located at approximately 1445 North 600 West and adopting the conditions, exhibits, and findings
5 of the staff report and as modified by the condition below:

- 6
7 1. That all final Planning, Engineering, and Fire Department requirements are met.

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

11
12 The matter was scheduled to be heard by the City Council on March 30, 2021.

13
14 **ITEM 4 – Public Hearing – Code Text Amendment – Section 10-19-7 E: Miscellaneous Signs,**
15 **Electronic Message Signs (City Wide). Public Hearing to Consider a Request from Pleasant Grove**
16 **City to Amend City Code Section 10-19-7E: Miscellaneous Signs, Electronic Message Signs. The**
17 **Applicant is Proposing to Modify the Requirements for the Establishment of Electronic Message**
18 **Signs as well as the Zones where the Signs are Permitted. ***Continued from February 25, 2021*****

19
20 **ITEM 5 – Public Hearing – Code Text Amendment – Section 10-19-2: Definitions for Signs and**
21 **Outdoor Advertisement. Public Hearing to Consider a Request from Pleasant Grove City to**
22 **Amend City Code Section 10-19-2: Definitions for Signs and Outdoor Advertisement. The**
23 **Applicant is Proposing to Modify the Definition of Electronic Message Center and Change the**
24 **Established Percentage of the Total Sign Area Dedicated to the Electronic Message Part.**
25 *****Continued from February 25, 2021*****

26
27 Agenda item numbers four and five were discussed together.

28
29 Director Cardenas presented the staff report and stated that the new ordinance was drafted in 2017
30 but did not address electronic signs. Since that time the City has allowed electronic message signs
31 in commercial zones, industrial zones, or for schools as long as they are part of a monument,
32 freestanding, or wall sign. Currently, monument signs are allowed to be six feet tall with a
33 maximum square footage of 32 feet. The City Council has been working with staff on an
34 amendment to increase the area of the electronic panel of a sign that only has civic uses. The
35 proposed amendment objective is to change the definition and requirements for signs. Civic signs
36 on public property are not required to meet the 50% requirement.

37
38 Director Cardenas reported that staff worked with a handful of developers and designed something
39 that would meet their needs. The primary change proposed to monument signs does not involve
40 the LED portion but the size. The requirements for pole signs versus monument signs were
41 discussed. The difference between monument signs and pole/freestanding signs was discussed.
42 Concern was expressed with the City and businesses having different requirements. Potential
43 negatives were identified as the tendency to create a distraction and the brightness of signs.

1
2 Commissioner Steele did not support removing the 50% requirement for pole signs. There were
3 concerns that if the amendment is passed and an applicant makes a request that is denied. Various
4 exceptions were identified for public use. Director Cardenas explained that when applicants
5 submit a Code amendment he does not normally address it unless he thinks it is not appropriate
6 for the City.

7
8 Chair Blake opened the public hearing. There were no public comments. The Chair closed the
9 public hearing and invited the Commission to either continue the discussion regarding this item or
10 she would entertain a motion if no further discussion was necessary.

11
12 There was discussion regarding signs throughout the City. It was noted that the Code includes a
13 size restriction on monument signs. There was some question as to whether to limit monument
14 signs or change the requirements for all signs. Commissioner Steele did not support removing the
15 requirement for pole signs. As written, the definitions paragraph implies that the non-flashing
16 requirement does not apply to civic signs. He did not think civic signs should flash either. The
17 three specific commercial zones were also mentioned and stated that the signs cannot face
18 residential housing units. Commissioner Steele questioned the need to have different requirements
19 for civic signs. He did not recommend they carve out any definition for civic signs and provide a
20 definition for all electronic message centers.

21
22 **MOTION:** Commissioner Steele moved to continue the request of Pleasant Grove City for an
23 Amendment to City Code Sections 10-19-2 and 10-19-71 – Electronic Message Signs, to allow
24 staff to adjust the language of the proposed amendment to eliminate the 50% requirement for
25 monument signs only and not distinguish between civic and commercial signs. Commissioner
26 Coombs seconded the motion. The Commissioners unanimously voted “Aye”. The motion
27 carried.

28
29 The matter was continued to the March 25 meeting.

30
31 **ITEM 6 – Public Hearing – City Code Text Amendment – Section 10-15-47C: Accessory**
32 **Apartments, Owner Occupied (City Wide). Public Hearing to Consider Amendments to City Code**
33 **Section 10-15-47C: Accessory Apartments, Owner Occupied, to Further Define the Term “Owner**
34 **Occupied” for Accessory Apartments and Tiny Homes. ***Continued from February 25, 2021*****
35

36 Director Cardenas reported that the current version of the amendment includes revisions made by
37 the City Attorney. It was suggested that the matter be continued to give the Commission more
38 time to review the staff report, which was provided late. Director Cardenas stated that developers
39 take advantage of the Code. Many residents are upset because of abuses that are taking place. A
40 definition is needed to address specific issues that exist. Commissioner Steele commented that it
41 is complex and there is a lot of information to review.

42
43 **MOTION:** Commissioner Fugal moved to continue the request of Pleasant Grove City for the
44 proposed amendments to City Code Section 10-15-47(c) – Accessory Apartments, Owner

1 Occupied by modifying the definition for Owner Occupancy for the establishment of accessory
2 apartments in single-family dwelling zones until March 25, 2021, based on the following findings:

- 3
- 4 1. The Commission needs more time to review the proposed changes.
- 5
- 6 2. Allow staff an opportunity to submit the proposed changes with the reasoning for
- 7 them.
- 8

9 Commissioner Coombs seconded the motion. The Commissioners unanimously voted "Aye". The
10 motion carried.

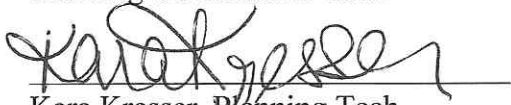
11
12 **ITEM 7 – Review and Approve the Minutes from the February 25, 2021, Planning Commission**
13 **Meeting.**

14
15 **MOTION:** Commissioner Fugal moved to accept the minutes of February 25, 2021.
16 Commissioner Clyde seconded the motion. The Commissioners unanimously voted "Aye". The
17 motion carried.

18
19 **MOTION:** Commissioner Clyde moved to adjourn the meeting at approximately 8:58 p.m.
20 Commissioner Fugal seconded the motion. The Commissioners unanimously voted "Aye". The
21 motion carried.

22
23
24 

25 Planning Commission Chair

26
27 

28 Kara Kresser, Planning Tech

29
30 

31 Date Approved