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2
3 PLEASANT GROVE CITY
4 PLANNING COMMISSION MEETING MINUTES
5 May 13, 2021
6

7 **PRESENT:** Chair Bobbi Jo Blake, Commissioners Tim Clyde, Dustin Phillips, Peter Steele
8

9 **EXCUSED:** Todd Fugal, Lisa Coombs
10

11 **STAFF:** Daniel Cardenas, Community Development Director; Rylee Hall, City Planner; Lauren
12 Droubay, Planning Tech; Aaron Wilson, City Engineer; Kara Kresser, Planning Assistant
13

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

16 **Commission Business:**
17

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

21 **2. Agenda Approval:**
22

23 It was reported that agenda item number 1 was withdrawn by the applicant. Agenda items 6, 7,
24 and 8 were continued to the May 27, 2021, meeting.
25

- 26 • **MOTION:** Commissioner Clyde moved to APPROVE the agenda with agenda
27 item 1 having been withdrawn and agenda items 6, 7, and 8 being continued to May
28 27, 2021. Commissioner Phillips seconded the motion. The Commissioners
29 unanimously voted "Aye". The motion carried.
30

31 **3. Staff Reports:**
32

- 33 • **MOTION:** Commissioner Clyde moved to APPROVE the Staff Reports.
34 Commissioner Phillips seconded the motion. The Commissioners unanimously
35 voted "Aye". The motion carried.
36

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

2
3 There were no declarations or abstentions.

4
5 **ITEM 1** – Public Hearing – Conditional Use Permit – Located at 4087 North Canyon Road
6 (Manila Neighborhood). Public Hearing to Consider the Request of Dennis Thayne for a
7 Conditional Use Permit to Allow an Online Insurance Sales Business as a Major Home Occupation
8 on Property Located at Approximately 4087 North Canyon Road in the R-R (Rural Residential)
9 Zone.

10
11 The above item was withdrawn by the applicant.

12
13 **ITEM 2** – Public Hearing – Preliminary Subdivision Plat – Located at Approximately 120 South
14 1025 East (Scratch Gravel Neighborhood). Public Hearing to Consider a Request of Deny
15 Farnsworth for a Preliminary Subdivision Plat Called Ardie's Orchards Plat 'B' on Property
16 Located at Approximately 120 South 1025 East in the R1-10 (Single-Family Residential) Zone.

17
18 City Planner, Rylee Hall presented the staff report and described the proposal. The applicant is
19 requesting approval of a one-lot residential subdivision called, Ardie's Orchard Plat 'B,' located
20 at approximately 120 South 1025 East in the R1-10 (Single-Family Residential) Zone. The
21 General Plan designation is Low-Density Residential. The proposed plat is currently part of an
22 approved subdivision called Ardie's Orchards Plat 'A.' With the approval of the plat, Lot 2 of
23 Ardie's Orchards Plat 'A' will be vacated and become Lot 1 of Ardie's Orchards Plat 'B.' Street
24 improvements for the proposed lots are existing. The proposed subdivision consists of a total area
25 of .65 acres and one single residential lot. The lot was determined to meet the minimum
26 requirements for a residential lot in the R1-10 Zone.

27
28 Because the proposed plat meets all the requirements for subdivisions, and for the R1-10 (Single-
29 Family Residential) Zone, staff recommended the Planning Commission recommend approval to
30 the Public Works Director for the proposed preliminary plat subject to the conditions set forth in
31 the staff report.

32
33 The applicant, Deny Farnsworth described the property dispute.

34
35 Chair Blake opened the public hearing. There were no public comments. The Chair closed the
36 public hearing and invited the Commission to either continue the discussion regarding this item or
37 she would entertain a motion if no further discussion were necessary.

38
39 **MOTION:** Commissioner Clyde moved that the Planning Commission forward a positive
40 recommendation of approval for the request of Deny Farnsworth for the Subdivision Plat called
41 Ardie's Orchard Plat 'B,' on property located at approximately 120 South 1025 East, in the R1-10

1 (Single Family Residential) Zone; and adopting the exhibits, conditions, and findings of the staff
2 report, and as modified by the conditions below:

- 3
- 4 1. The lot number label will be changed to Lot 18, instead of Lot 1.
- 5
- 6 2. All Final Planning, Engineering, and Fire Department requirements are met.
- 7

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

10
11 **ITEM 3** –Public Hearing – Preliminary Subdivision Plat – Located at Approximately 1044 West
12 Garden Drive (Mud Hole Neighborhood). Public Hearing to Consider the Request of Jacob Bryan
13 for a Preliminary Commercial Subdivision Plat called Yak Office Building Subdivision Plat 'A'
14 on Property Located at Approximately 1044 West Garden Drive in the C-G (General Commercial)
15 Zone.

16
17 **ITEM 4** – Public Hearing – Site Plan – Located at Approximately 1044 West Garden Drive (Mud
18 Hole Neighborhood). Public Hearing to Consider the Request of Jacob Bryant for Approval of a
19 Site Plan for a Single-Tenant Office Building, on Property Located at Approximately 1044 West
20 Garden Drive in the C-G (General Commercial) Zone.

21
22 Agenda items 3 and 4 were heard together.

23
24 Planner Hall presented the staff report and stated that the request is for approval of a site plan for
25 a single-tenant office building on property located at approximately 1044 West Garden Drive in
26 the General Commercial Zone. An aerial image of the property was displayed as well as the zoning
27 map showing the location of the property and the adjacent zone. The subject parcels have never
28 been part of an approved subdivision. Approval of a site plan for an office building, on Lot 1 of
29 the proposed subdivision was also requested. The proposed subdivision, Yak Office Building
30 Subdivision Plat 'A', occupies a total area of 2.46 acres and consists of one lot. The proposed lot
31 was determined to meet all of the requirements for the General Commercial Zone, which has no
32 minimum area requirement. It has a minimum lot frontage requirement of 35 feet and no minimum
33 lot width.

34
35 The proposed site plan was displayed and is for a three-story office building that will be
36 approximately 46,338 square feet in size. The required setback on Garden Drive is 25 feet and
37 there is no required side yard setback or setback to the east. Since the site borders two commercial
38 zones, there are City Code requirements that apply. To the north and west there is a required
39 landscaped area of at least one foot in width. In addition, the applicant is required to provide
40 screening in the form of an eight-foot masonry wall along all property lines that border a residential
41 zone unless there is an agreement between the property owners of the commercial zone and the
42 adjacent residential zone.

1 Additionally, the required building setback is required to increase by one additional foot in width
2 for every one foot of building height over 20 feet. The required setback from the rear property
3 line is 25 feet and the required setback from the western property line is 20 feet. It was noted that
4 both property lines border a residential zone. The first building height is about 50 feet, which
5 requires the building to be set back from the rear property line at least 55 feet and at least 50 feet
6 from the western property line. Planner Hall indicated that the building is set back about 90 feet
7 from each of the property lines. City Code also requires that no commercial trash facility be
8 located closer than 25 feet from a residential property line. The proposed trash facility appeared
9 to meet that requirement. It was noted that there are additional requirements for commercial lots
10 that are adjacent to a residential zone. They include restrictions on lighting to prevent the glare
11 from affecting residential properties, noise limits, and limits on uses that would cause nuisances
12 to adjacent residential properties. The proposed site plan appeared to meet all City Code
13 requirements for a non-residential use bordering a residential zone.
14

15 Planner Hall next presented the Landscaping Plan. The landscaping requirements in the zone
16 require a mix of landscape elements. The proposed site plan was determined to meet these
17 requirements. Since the proposed use is an office building, parking needs were based on the given
18 ratio in City Code which is one space per 300 square feet. Since the building is about 46,338
19 square feet at least 155 parking spaces will be required. The site plan provides 155 spaces for the
20 site with six ADA-compliant stalls and meets off-street parking requirements.
21

22 Because the plat and site plan meet existing City Code requirements for landscaping, design,
23 setbacks, parking, and all other requirements for the C-G (General Commercial) Zone, it was
24 recommended that the Planning Commission forward a recommendation of approval with the
25 following condition, if the Existing Sewer Lift station located on the east end of the property has
26 been abandoned by the City before construction of the sewer connection, then the developer must
27 connect to the new sewer on Garden Drive. If the sewer lift station has not been abandoned by the
28 City, then the developer must connect upstream of the lift station through a new manhole installed
29 by the developer.
30

31 In response to a question raised by Chair Blake, Planner Hall indicated that the only entrances are
32 the two on the far east and far west sides. They are the two entrances into the building off of
33 Garden Drive Street. The front elevation will border Garden Drive. Concerning the masonry wall
34 that will be constructed, City Code permits that it be built up against the existing fence.
35

36 The applicant, Jacob Bryant, indicated that they conferred with the residents regarding the fence
37 and the intent is to move forward with the masonry fence as outlined in the plans. He also
38 mentioned that they received word from the City that the sewer line will be connected to the new
39 sewer so the lift station can be removed. They submitted plans both with and without a connection
40 below the lift station. Chair Blake asked how long construction will take. The applicant responded
41 that the building will be occupied as soon as it is completed, and construction will begin
42 immediately upon approval by the City of the building plans. Construction was expected to take
43 about nine months.
44

1 City Engineer, Aaron Wilson, reported that the City is in the process of adding a sewer line
2 connection that bores underneath the Railroad and State Street. He indicated that the landlord
3 accepted it, and the agreement is set to go forward to City Council and be approved. By the time
4 the project is approved the City should be doing the first option and it will not be an issue.

5
6 Chair Blake opened the public hearing.

7
8 *Matthew Hailstone*, He expressed the neighbors' concerns with the building being three stories
9 high. He stated that there are concerns regarding the privacy of the residents due to visibility from
10 the building into their neighborhood. Mr. Hailstone explained that the other concern is that the
11 masonry fence is contiguous to the side fences of the residential yards, leaving no holes.

12
13 Commissioner Clyde explained what the Planning Commission can and cannot do. He stated that
14 there are rules and laws within the City regarding zoning. The applicant is following the zone
15 requirements. He explained that as a Planning Commission they make sure that the Code is
16 followed and the guideline met.

17
18 In response to the request from Mr. Hailstone for time to present a petition in the future,
19 Commissioner Steele clarified that legislative decisions are made by the City Council. The
20 decisions made by the Planning Commission relates to the rules being followed and the rules
21 cannot be changed after the application is submitted. Commissioner Steele informed Mr. Hailstone
22 that he can speak to the City Council regarding zoning.

23
24 *Christina Phillips*, expressed concern regarding the closeness of the dumpster to the residential
25 area. She was informed that the rule is that the dumpsters be 25 feet from the fence line. She was
26 shown where the dumpster and the exits are in the plan. She asked if the approval can be postponed
27 for the residents to apply for rezoning the area to residential and maintain the integrity of the
28 neighborhood. It was clarified that only the applicant can apply to change the zoning.

29
30 The applicant clarified that they removed some trees from the site. The Landscape Plan included
31 the addition of more trees. The trees on the site were trash trees and their removal was unrelated
32 to the sewer lift station issue. The planning approval process was described.

33
34 *Ben Stanley* stated that the public is frustrated that are receiving notice of meetings late in the
35 process. They are invited to give feedback but they are being told that it doesn't matter at this
36 stage. He asked about the approval process. He requested that the residents be provided with legal
37 notice early in the process. Chair Blake stated that the City is required to provide notice within a
38 certain amount of time and are established by law. Mr. Stanley stated that in the past there have
39 been times that the City has failed to provide a legally mandated notice.

1 There were no further public comments. The Chair closed the public hearing and invited the
2 Commission to either continue the discussion regarding this item or she would entertain a motion
3 if no further discussion were necessary.

4
5 Commissioner Steele explained that the City has a planning process. The General Plan is available
6 on the City's website. There are also maps showing the future use of vacant properties. The City
7 updates the General Plan every few years. The right time to get involved is when the City is
8 planning. In 2015, the City sent out a survey in the utility bill and received only 150 responses.
9 They also held public meetings and had a very low turnout to comment on the future of the City.

10
11 Chair Blake questioned whether Garden Drive Street will be extended to connect to 1300 West. It
12 was clarified that the plan is to connect it to 500 North and eventually to 1300 West.

13
14 **MOTION:** Commissioner Steele moved that the Planning Commission forward a
15 recommendation of APPROVAL on the request of Jacob Bryant for the subdivision plat called
16 Yak Office Subdivision Plat 'A' on property located at approximately 1044 West Garden Drive in
17 the C-G (General Commercial) Zone; and adopting the exhibits, conditions, and findings of the
18 staff report, and as modified by the condition below:

- 19
20 1. All Final Planning, Engineering, and Fire Department requirements are met.

21
22 Commissioner Phillips seconded the motion. The Commissioners unanimously voted "Aye". The
23 motion carried.

24
25 **MOTION:** Commissioner Steele moved that the Planning Commission forward a
26 recommendation of APPROVAL on the request of Jacob Bryant for the proposed site plan on
27 property located at approximately 1044 West Garden Drive in the C-G (General Commercial)
28 Zone; and adopting the exhibits, conditions, and findings of the staff report, and as modified by
29 the conditions below:

- 30
31 1. All Final Planning, Engineering, and Fire Department requirements are met.
32
33 2. If the Existing Sewer Lift station located on the east end of the property has been
34 abandoned by the City before construction of the sewer connection, then the
35 developer must connect to the new sewer on Garden Drive. If the sewer lift station
36 has not been abandoned by the City, then the developer must connect upstream of
37 the lift station through a new manhole installed by the developer.
38

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

1 **ITEM 5** – Public Hearing – Site Plan – Located at Approximately 1877 West State Street (Sam
2 White’s Lane Neighborhood). Public Hearing to Consider a Request of Ridgepoint Management
3 Group, LLC (Susan Palmer) for a Site Plan for 2 Three-Story, Multi-Tenant, Professional Office
4 Buildings on Property Located at Approximately 1877 West State Street in The Grove Zone –
5 Commercial Sales Subdistrict.

6
7 Planner Hall presented the staff report and stated that the request is for approval of a Site Plan for
8 Units A and B in the Battle Creek Business Park. It was a continuation of what was discussed at
9 the previous meeting. A zoning map was displayed showing the location of the property as well
10 as an aerial image of the property. Planner Hall reported that on June 27, 2019, the first phase of
11 the project, Battle Creek Business Park, received a recommendation of approval from the Planning
12 Commission. The approved Plat, Plat ‘A’, included only a portion of the project, including Units
13 A and B. Since then, approval for the site plans expired and was the reason it was being reheard
14 by the Planning Commission.

15
16 A new subdivision that encompassed the entire project area, Battle Creek Business Park Plat ‘B’,
17 received a recommendation of approval from the Planning Commission at the previous meeting
18 held on April 29, 2021. The approved plat was displayed and will include six lots. Each of the
19 lots will have a three-story, multi-tenant professional office building. Planner Hall reported that
20 at the previous meeting the site plan for Units C, D, E, and F, the four northernmost buildings,
21 received a recommendation of approval from the Planning Commission. Units A and B will
22 occupy Lots 1 and 2 of the approved subdivision of Battle Creek Business Park Plat B. The
23 required setback for the buildings is 25 feet and is measured from State Street. There are no side
24 or rear setbacks required.

25
26 Planner Hall reported that the parking needs for the site were estimated based on the ratio of one
27 stall per 300 square feet of professional office area. Each building is about 19,570 square feet in
28 size divided between three floors. With two buildings the total square footage is 39,140 square
29 feet. At least 131 spaces are required. The proposed site plan meets this requirement by providing
30 135 stalls with five ADA-compliant stalls and meets off-street parking requirements.

31
32 The Landscape Plan for the site was displayed. Planner Hall reported that the Commercial Sales
33 Subdistrict zone requires a mix of landscape elements and at least one tree is required per 1,000
34 square feet of landscape area. 30% of the total number of required trees must be evergreen. The
35 proposed site contains 49 total trees, 15 of which are evergreen (about 31%), and meets
36 landscaping requirements for the zone. Planner Hall reported that the Design Review Board
37 (“DRB”) has reviewed the site plan and recommended approval. They found that the site and
38 buildings meet the requirements for urban design as well as building materials and design.

39
40 The Color Scheme Key submitted by the applicant was displayed and shows the different color
41 scheme proposals for each of the buildings. As only two units are proposed in this Site Plan for
42 Units A and B, only two of the three designs will be used. The intent was that all three of the
43 designs will be used throughout the development. Unit A will utilize Color Scheme 3, and Unit B
44 will use Color Scheme 2. The submitted plans comply with existing City Code requirements for
45 landscaping, design, setbacks, parking all other requirements for The Grove Zone-Commercial

1 Sales Subdistrict. Staff recommended approval subject to the conditions set forth in the staff
2 report.

3
4 The applicant, Susan Palmer, commented that she did not realize that the approval had expired
5 because they had to apply for a Planned Unit Development ("PUD") rather than a condominium
6 plat. She stated that they are excited to get the project underway.

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 **MOTION:** Commissioner Phillips moved that the Planning Commission forward a
13 recommendation of APPROVAL for the request of Ridgepoint Management Group (Susan
14 Palmer) for the proposed site plan on property at approximately 1877 West State Street in The
15 Grove Zone - Commercial Sales Subdistrict; and adopting the exhibits, conditions, and findings of
16 the staff report, and as modified by the conditions below:

- 17
18 1. CC&Rs will be submitted that address utilities, cross parking, maintenance, and
19 any other necessary requirements.
20
21 2. Battle Creek Business Park Plat B received final approval from the City Council.
22
23 3. All Final Planning, Engineering, and Fire Department requirements are met.
24

25 Commissioner Clyde seconded the motion. The Commissioners unanimously voted "Aye". The
26 motion carried.

27
28 **ITEM 6 – Public Hearing – Text Amendment – Section 10-14-24-1:** The Grove Commercial
29 Sales Subdistrict, Permitted Uses. (Sam White's Lane Neighborhood). Public Hearing to
30 Consider the Request of Joey Nelson (KDK Construction) to Amend City Code Section 10-14-24-
31 1-C2: The Grove Commercial Sales Subdistrict, Permitted Uses, Expanding the Permitted Uses
32 to Include Use #6419 Automobile Service, Except Repair and Wash (Includes Lube, Diagnostic,
33 Tune Ups, Parts, and Tire Replacement Services) Only for Properties Fronting State Street within
34 The Grove Zone and Limited to the Commercial Sales Subdistrict.

35
36 The above matter was continued to the May 27, 2021 meeting.

37
38 **ITEM 7 – Public Hearing – Code Text Amendment – Section 10-9B-9: Building Height.** Public
39 Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 10-9B-9:
40 Building Height, to Refine the Requirements and Limitations for Building Height in the R1
41 (Single-Family Residential) Zones.

42
43 The above matter was continued to the May 27, 2021 meeting.

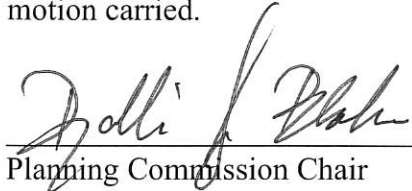
1 **ITEM 8** – Public Hearing – City Code Text Amendment – Section 10-6-2: Definitions; Boarding
2 and Rooming House (City Wide). Public Hearing to Consider Amendments to City Code Section
3 10-6-2: Definitions; Boarding and Rooming House, to Modify the Definition of ‘Boarding and
4 Rooming House’. **Continued from April 20, 2021.

5
6 The above matter was continued to the May 27, 2021 meeting.

7
8 **ITEM 9** – Review and Approve the Minutes from April 29, 2021.

9
10 **MOTION:** Commissioner Steele moved to APPROVE the minutes of April 29, 2021.
11 Commissioner Phillips seconded the motion. The Commissioners unanimously voted “Aye”. The
12 motion carried.

13
14 **MOTION:** Commissioner Clyde moved to adjourn the meeting at approximately 8:18 p.m.
15 Commissioner Phillips seconded the motion. The Commissioners unanimously voted “Aye”. The
16 motion carried.

17
18 
19 _____
20 Planning Commission Chair

21 
22 _____
23 Kara Kresser, Planning Tech

24
25 
26 _____
Date Approved