



PLEASANT GROVE CITY
PLANNING COMMISSION MEETING MINUTES
July 14, 2022

PRESENT: Chair Jeffrey Butler, Jim Martineau, Lindsey Hargett, Todd Fugal, Peter Steele, Karla Patten

STAFF: Daniel Cardenas, Community Development Director; Jacob Hawkins, City Planner; Aaron Wilson, City Engineer; Kara Kresser, Planning Assistant; Kirsten Haggard, Planning Tech

EXCUSED: Dustin Phillips, Tim Clyde, and Wendy Shirley

Chair Jeffrey Butler called the meeting to order at 7:00 p.m.

Commission Business:

a. Pledge of Allegiance and Opening Remarks: Commissioner Hargett led the Pledge of Allegiance. Commissioner Martineau offered the opening remarks.

b. Agenda Approval.

- **MOTION:** Commissioner Fugal moved to APPROVE the agenda as published. Commissioner Martineau seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

c. Staff Reports:

- **MOTION:** Commissioner Fugal moved to APPROVE the Staff Reports with the numbering changes discussed. Commissioner Peter Steele seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

d. Declaration of Conflicts and Abstentions from Commission Members.

There were no declarations or abstentions.

1 **ITEM 1 – Public Hearing: Preliminary Subdivision Plat – Located at approx. 362 North 200**
2 **West**
3 **(Little Denmark Neighborhood)**

4 Public Hearing to Consider the Request of Forrest Phillips Construction LLC for a 3-Lot
5 Preliminary Subdivision Plat, Called Battle Grove Plat ‘A’ on 0.74 Acres, Approximately Located
6 at 362 North 200 West in the R1-8 (Single-Family Residential) Zone.

7
8 City Planner, Jacob Hawkins presented the staff report and stated that the subject property is
9 located south of 400 North and east of 200 West in the R1-8 (Single-Family Residential) Zone.
10 The applicant, Forrest Phillips Construction, LLC, was requesting to divide the one parcel property
11 into three, each of which would be larger than 8,000 square feet. He noted there is an existing
12 home on Lot 1, which meets the setback requirements. Each of the lots was found to meet the
13 zoning requirements. Staff recommended approval with the condition that all final requirements
14 of the Planning, Engineering, and Fire Departments be met.

15
16 The applicant, Forrest Phillips from Forrest Phillips Construction, LLC, stated that this item was
17 a simple lot split and street improvements. He affirmed that they had complied with all
18 requirements and regulations.

19
20 Chair Butler opened the public hearing. There were no public comments. The Chair closed the
21 public hearing and invited the Commission to either continue the discussion regarding this item or
22 he would entertain a motion if no further discussion was necessary.

23
24 **MOTION:** Commissioner Fugal moved that the Planning Commission forward a positive
25 recommendation of APPROVAL for the request of Forrest Phillips Construction, LLC for a
26 subdivision plat called Battle Grove Plat ‘A’ on property located at approximately 362 North 200
27 West on property zoned R1-8; and adopting the exhibits, conditions, and findings of the staff
28 report, and as modified by the conditions below:

- 29
30 1. All Final Planning, Engineering, and Fire Department requirements are met.

31
32 Commissioner Martineau seconded the motion. The Commissioners unanimously voted “Aye”.
33 The motion carried.

34
35 **ITEM 2 – Public Hearing: Preliminary Subdivision Plat – Located at approx. 489 North 1380**
36 **East**
37 **(Grove Creek Neighborhood)**

38 Public Hearing to Consider the Request of Nicholas Colaizzi for a One-Lot Preliminary
39 Subdivision Plat, Called Walker Ridge Plat ‘E’ on 0.552 Acres, Approximately Located at 489
40 North 1380 East in the R1-12 (Single-Family Residential) Zone.

1 Planner Hawkins presented the staff report and stated that the property is located west of 1380 East
2 and north of 350 North in an area zoned R1-12. He reported that the applicant, Nicholas Colaizzi,
3 is requesting to combine his lots with the lots to the south. The applicant is keeping the 20-foot
4 public utility easement in the event there is a need to re-split the lots. Planner Hawkins presented
5 an aerial view of the property and stated that combining the lots will meet the zoning requirements
6 needed to construct an accessory building. Staff recommended approval of the request with the
7 condition that all final requirements of the Planning, Engineering, and Fire Departments be met.
8 There was no comment made by the applicant.

9
10 Chair Butler opened the public hearing.

11
12 *Dustin Frampton*, whose residence is directly to the south, was not opposed to the project but
13 wanted to make sure that all regulations and codes are followed pertaining to retaining walls,
14 watersheds, etc. due to the steepness of the hill. He was concerned with the engineering and
15 potential water drainage issues. City Engineer, Aaron Wilson stated that such issues would be
16 addressed. Engineering requirements would need to be met to obtain a Building Permit.

17
18 There were no further public comments. The Chair closed the public hearing and invited the
19 Commission to either continue the discussion regarding this item or he would entertain a motion
20 if no further discussion was necessary.

21
22 **MOTION:** Commissioner Patten moved that the Planning Commission forward a positive
23 recommendation of APPROVAL for the request of Nicholas Colaizzi for a subdivision plat called
24 Walker Ridge Plat 'E' on property located at approximately 489 North 1380 East on property
25 zoned R1-12; and adopting the exhibits, conditions, and findings of the staff report, and as
26 modified by the conditions below:

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

29
30 Commissioner Martineau seconded the motion. The Commissioners unanimously voted "Aye".
31 The motion carried.

32
33 **ITEM 3 – Public Hearing: Vicinity Plan Amendment – Located at approx.. 1024 West 550**
34 **North**
35 **(Mud Hole Neighborhood)**

36 Public Hearing to Consider the Request of Joshua Reeves for a Vicinity Plan Amendment,
37 Approximately Located at 1024 West 550 North in the Rural Residential (RR) Zone.

38
39 Planner Hawkins presented the staff report and stated that the property related to the Vicinity Plan
40 Amendment is located west of 1020 West and north of 550 North in the Rural Residential ("RR")
41 Zone. Using an aerial map, he showed the existing Vicinity Plan designated a public right-of-way
42 ending in a cul-de-sac behind the subject property. The applicant would like to obtain the four end

lots and move the cul-de-sac to the west, which would change the road configuration. With approval of the amendment, Planner Hawkins stated that Lots 3, 4, 5, and 10 would be adjusted to encircle the new cul-de-sac bowl. Lots 1, 2, and 11 through 13 would remain unchanged. Lot 14 would be the newly designated Plat "A." Staff recommended approval of the Vicinity Plan Amendment.

There was discussion regarding the purpose for a Vicinity Plan change as well as issues involving further development options and alternatives and future difficulties with driveways, parking, and rights-of-way. There was also discussion regarding how the proposed amendment could impact the existing parcels. Planner Hawkins stated that if the Vicinity Plan were adopted, one of the homes to the south that is currently zoned Single-Family Residential ("R1-8") would undergo a zone change and be designated as a permitted non-conforming use pertaining to setbacks.

The applicant, Joshua Reeves, reported that the Vicinity Plan Amendment makes more sense in conjunction with the plat. He described the request as being the redesignation of property lines. He stated there were no plans for future development.

Chair Butler opened the public hearing. There were no public comments. The Chair closed the public hearing and invited the Commission to either continue the discussion regarding this item or he would entertain a motion if no further discussion was necessary.

MOTION: Commissioner Martineau moved that the Planning Commission recommend APPROVAL of the request of Joshua Reeves for a Vicinity Plan Amendment for property located at Approximately 1024 West 550 North in the Rural Residential (RR) Zone; and adopting the exhibits, conditions, and findings of the staff report, and as modified by the condition below:

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

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

ITEM 4 – Public Hearing: Preliminary Subdivision Plat – Located at approx.. 1024 West 550 North
(Mud Hole Neighborhood)

Public Hearing to Consider the Request of Joshua Reeves for a 1-Lot Preliminary Subdivision Plat called Bonnie Estates Plat 'A' on 1.451 acres, Approximately Located at 1024 West 550 North in the Rural Residential (RR) Zone.

Planner Hawkins presented the staff report and stated that in relation to Item 3 if there were any new developments, they would be required to go through the entire approval process. He identified the existing plat on the Vicinity Plan and stated that the entire subdivision is composed of one lot and specified that only one-single family dwelling was to be permitted on the lot. Staff found that

1 the subdivision plat meets the zoning requirements for approval with the requirement that all final
2 plans meet the requirements of the Planning, Engineering, and Fire Departments.

3
4 Chair Butler opened the public hearing. There were no public comments. The Chair closed the
5 public hearing and invited the Commission to either continue the discussion regarding this item or
6 he would entertain a motion if no further discussion was necessary.

7
8 **MOTION:** Commissioner Steele moved the Planning Commission forward a positive
9 recommendation of APPROVAL for the request of Joshua Reeves for a preliminary subdivision
10 plat for property located at approximately 1024 West 550 North in the Rural Residential (RR)
11 Zone; and adopting the exhibits, conditions, and findings of the staff report, and as modified by
12 the condition below:

- 13
14 1. All Final Planning, Engineering, and Fire Department requirements are met.

15
16 Commissioner Fugal seconded the motion. The Commissioners unanimously voted "Aye". The
17 motion carried.

18
19 **ITEM 5 – Public Hearing: Site Plan – Located at Approximately 1506 West Pleasant Grove**
20 **Boulevard. (Sam White's Lane Neighborhood)**

21 Public Hearing to Consider the Request of Jon Walter for a Site Plan for a Two-Story, Multi-
22 Tenant Office Building Located at Approximately 1506 West Pleasant Grove Boulevard, on
23 Property Zoned The Grove – Commercial Sales (GRV-CS) Zone.

24
25 **ITEM 6 – Public Hearing: Public Hearing: Site Plan – Located at Approximately 1506 West**
26 **Pleasant Grove Boulevard.**

27 **(Sam White's Lane Neighborhood)**

28 Public Hearing to Consider the Request of Jon Walter for a Site Plan for a Single-Story, Multi-
29 Tenant Retail Building with a Drive-Thru Located at Approximately 1506 West Pleasant Grove
30 Boulevard, on Property Zoned The Grove – Commercial Sales (GRV-CS) Zone.

31
32 **ITEM 7 – Public Hearing: Site Plan – Located at Approx. 1506 West Pleasant Grove**
33 **Boulevard.**

34 **(Sam White's Lane Neighborhood)**

35 Public Hearing to Consider the Request of Jon Walter for a Site Plan for a Single-Story Retail
36 Building with a Drive-Thru Located at Approximately 1506 West Pleasant Grove Boulevard, on
37 Property Zoned The Grove – Commercial Sales (GRV-CS) Zone.

38
39 Items 5, 6, and 7 were discussed together but voted on separately. The applicant, Jon Walter
40 participated via telephone.

1 Planner Hawkins presented the staff report and stated that all three items pertain to the Urban
2 Grove Development. Mr. Walter was seeking to construct several commercial buildings at 1506
3 West Pleasant Grove Boulevard. He corrected the Site Plan and noted that Lots 1, 2, and 4, were
4 to be identified as Lots 12, 13, and 15. Using each of the lots on the site plans, Mr. Walter stated
5 that each of the site plans has its own building. He referenced the zoning map and reported that
6 the site in The Grove – Commercial Sales (“GRV-CS”), and the surrounding area is zoned for
7 commercial use. He noted that there are four site plans but Site Plan 3, which is located on the
8 east side of the development was not included in the project.

9
10 Planner Hawkins stated that the Site Plan 1 Building was to be used for offices. The second floor
11 of that building was to be used by the applicant and the first floor would be leased out. The
12 building on Site Plan 2 was to be used for retail space and had five spaces for lease. Site Plan 4
13 was the smallest of the three buildings and is adjacent to Pleasant Grove Boulevard. The setback
14 was 42 feet from the property line adjacent to Pleasant Grove Boulevard and 33 feet from the west
15 property line. He identified the access that was identified as a drive-aisle to the north and
16 connecting to an access point from Pleasant Grove Boulevard. He reported that the driveways will
17 each be 16.5 feet wide.

18
19 Planner Hawkins addressed the landscaping and open space for the project. He noted that Lot 1 is
20 not directly adjacent to the street but has designated open space, which was defined as parks,
21 plazas, courtyards, arcades, pedestrian walkways, natural areas, and landscaped areas. He reported
22 that open spaces do not include leftover spaces between buildings, or narrow spaces under 10 feet
23 in width immediately adjacent to buildings where the space is between the building and parking
24 areas, drive aisles, or inner development roads. The applicant provided details regarding the scope
25 of the landscape and open spaces for each of the lots. He reported that Lot 1 was identified as
26 having 9,596, feet of open space in a total square footage area of 47,379. He further reported that
27 Lot 2 is similar in size with most of the open space being located in the parking area and on the
28 south side of the lot near Pleasant Grove Boulevard. It included 5,728 feet of open space on a
29 45,280 square-foot lot. Lot 4 provided plenty of open space and landscaping with additional space
30 across the driveway on the east side of the lot.

31
32 Planner Hawkins stated that, in relation to elevations, the maximum height for buildings in this
33 zone was 65 feet. Lot 1, was identified as having a maximum building height of 39 feet. The
34 building materials for that structure were to include glass, white stucco, cultured stone, old cherry
35 rustic sap siding, bronze metal, and clear glass anodized aluminum. All were approved by the
36 Design Review Board and Planning Commission. The Elevation Plan for Lot 2 was the same as
37 Lot 11. Lot 4 was described as having the same materials with an approximate height of 20 feet.

38
39 Planner Hawkins reported that the dumpster locations are on the north side of Lot 2 and the
40 northeast corner of the property. He reviewed the drainage plans and indicated that the applicant
41 submitted further information regarding the drainage requirements for all sites as was required by

1 the Engineering Department. Staff recommended approval of the items with the condition that all
2 Planning, Engineering, and Fire Department requirements are met.

3
4 Commissioner Steele asked about the drive-thru and parking on Site Plan 4. Planner Hawkins
5 suggested that the applicant address that issue. Commissioner Martineau reported that the
6 applicant could address any car stacking or traffic issues that arise. Planner Hawkins thought there
7 was adequate space for car stacking but had not taken any measurements. City Engineer, Aaron
8 Wilson stated that there had been some concern about parking and access to the roadways, but that
9 issue had been adjusted and was no longer a concern. Commissioner Steele had questions about
10 Site 2 and was concerned about curbing asphalt, and spacing between the parking and drive-thru.
11 Areas of concern were identified and landscaping issues were discussed.

12
13 The applicant, Jon Walter, participated via telephone along with his architect, Steve Beasley from
14 CRSA Architecture. Mr. Walter reported that the second floor of the Site Plan 1 Building would
15 be the new location for commercial and residential brokerage. He acknowledged that Planner
16 Hawkins did a great job of presenting the project. In relation to the dumpster location for Site Plan
17 4, there was a Common Area Agreement and Cross Parking Agreement between the various
18 buildings. As a result, that dumpster backed Sites 1 and 2. With regard to the stacking issue, he
19 stated that his architectural team worked with the engineering team to study the turning radiuses
20 and widths to make sure the stacking and access were both adequate. He noted that traffic would
21 not have to extend onto Pleasant Grove Boulevard. Mr. Walter reported that the building on Site
22 Plan 2 was almost located on the property line and there was just enough room for the drive aisle.
23 They attempted to put the landscaping toward the front of Pleasant Grove Boulevard and parking
24 on the side. The architect stated that the concrete curbs were placed so there would not be a cross-
25 drive. Commissioner Steele asked why the common area for Site Plan 1 was on the west side
26 rather than on the east since it gets hot on the west side. The architect stated that it was a design
27 decision.

28
29 Chair Butler opened the public hearing. There were no public comments. The Chair closed the
30 public hearing and invited the Commission to either continue the discussion regarding this item or
31 he would entertain a motion if no further discussion was necessary.

32
33 **MOTION:** Commissioner Martineau moved that the Planning Commission forward a
34 recommendation of APPROVAL for the request of Jon Walter for the proposed site plan on
35 property located at approximately 1506 West Pleasant Grove Boulevard on property zoned The
36 Grove – Commercial Sales Subdistrict (GRV-CS); and adopting the exhibits, conditions, and
37 findings of the staff report, and as modified by the conditions below:

- 38
39 1. The proposed stucco material is to be used as an accent or secondary material only.
40
41 2. All Final Planning, Engineering, and Fire Department Requirements are met.
42

Commissioner Patten seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

MOTION: Commissioner Steele moved that the Planning Commission forward a recommendation of APPROVAL for the request of Jon Walter for the proposed site plan on property located at approximately 1506 West Pleasant Grove Boulevard on property zoned The Grove – Commercial Sales Subdistrict (GRV-CS); and adopting the exhibits, conditions, and findings of the staff report, and as modified by the conditions below:

1. The proposed stucco material is to be used as an accent or secondary material only.
2. All Final Planning, Engineering, and Fire Department Requirements are met.

Commissioner Martineau seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

MOTION: Commissioner Patten moved that the Planning Commission forward a recommendation of APPROVAL for the request of Jon Walter for the proposed Site Plan on property located at approximately 1506 West Pleasant Grove Boulevard on property zoned The Grove – Commercial Sales Subdistrict (GRV-CS); and adopting the exhibits, conditions, and findings of the staff report, and as modified by the conditions below:

1. The proposed stucco material is to be used as an accent or secondary material only.
2. All Final Planning, Engineering, and Fire Department Requirements are met.

Commissioner Fugal seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

ITEM 8 – Public Hearing: Preliminary Subdivision Plat – Located at Approximately 392 East State Street.

(String Town Neighborhood)

Public Hearing to Consider the Request of Joe Salisbury for a One-Lot Preliminary Subdivision Plat Totaling Approximately 7.18 Acres, Called Village Square Subdivision Plat ‘A’ on Property Located at Approximately 392 East State Street, in the CS-2 (Commercial Sales-2) Zone.

ITEM 9– Public Hearing: Site Plan – Located at approx.. 392 E State Street

(String Town Neighborhood)

Public Hearing to Consider a Request of Joe Salisbury for a Site Plan for 11 Multi-Family Residential Buildings Containing 83 Total Units, on Property Located at Approximately 392 East State Street, in the CS-2 (Commercial Sales-2) Zone.

1 **ITEM 10 – Public Hearing: Conditional Use Permit – Located at Approximately 392 East**
2 **State Street.**
3 **(String Town Neighborhood)**

4 Public Hearing to Consider the Request of Joe Salisbury for a Conditional Use Permit to Allow 83
5 Residential Units (Use # 1151) on Property Located at Approximately 392 East State Street, in the
6 CS-2 (Commercial Sales-2) Zone.

7
8 Items 8, 9, and 10 were discussed together but voted on separately.
9

10 Community Development Director, Daniel Cardenas, presented the staff report and stated that the
11 applicant, Joe Salisbury, is proposing a multi-family project in the CS-2 Zone, consisting of seven
12 lots and one parcel on the plat. He reported that there are multiple businesses proposed from State
13 Street including a strip mall that will have no frontage but access to State Street through the use of
14 easements. He noted that it was important that, at the time of recordation, all business easements
15 are recorded.
16

17 Director Cardenas displayed an aerial map and identified the mixed uses in the area as well as the
18 subject property. The applicant was proposing an 11-building townhouse complex with 83
19 residential units identified as Lot 6 and Parcel A. He identified the commercial area along State
20 Street and reported that the applicant is seeking to vacate Plat A and reconfigure the property. The
21 single commercial lot was to be retained and named Village Square Plat D. The strip mall (Lot 7)
22 and the remaining lots adjacent to State Street would keep their current commercial uses. A portion
23 of Parcel A was to be used for residential and commercial parking per parking agreements between
24 the landowners for commercial and residential parking. Parcel A was unbuildable due to easement
25 agreements and current issues between the landowners. He noted that they want to ensure that
26 enough easements, accesses, and uses are provided for.
27

28 With regard to Conditional Use Permits, Director Cardenas stated that in the Commercial Sales-2
29 (“CS-2”) Zone, residential uses are allowed if certain conditions are met. Director Cardenas stated
30 that Parcel A will contain an open parking area that would require changes to the grading and
31 parking spaces. Lot 6 was to contain 11 buildings. Each will house six to eight multi-family units
32 with two-car garages. Access would be off State Street.
33

34 Director Cardenas noted that the development had to be revised several times because of
35 encroachment issues. The required setbacks were to be a minimum of 25 feet from the property
36 lines. It was noted that at some point density was granted for both Lot 6 and the parcel together.
37 In doing so, some of the properties may not have a 25-foot setback. The project was evaluated as
38 a whole, however, and had the required setbacks. A new site plan would be required if the
39 Commission determined that the property lines do not provide the 25-foot setback. He indicated
40 that steps were taken to ensure that staff would ultimately be able to review the issue for adequacy.
41

1 Director Cardenas reported that he recently received the Landscape Plans, which had not been
2 fully reviewed. Based on the Design Element Point System the development was to have 47 points.
3 Currently, the development has 25 points. Director Cardenas assumed that the requirements would
4 be met but wanted to include them in the conditions. Director Cardenas reviewed the design
5 features and open space requirements as well as the building elevations. He noted that two-story
6 buildings are proposed. Staff recommended approval with additional landscape and design issues
7 to be approved as well as a condition that the requirements of the Planning, Engineering, and Fire
8 Departments are met.

9
10 Chair Butler asked if the Fire Department has approved the access. He was advised by Engineer
11 Wilson that the project had been reviewed by the Fire Department and revisions were made or in
12 process.

13
14 The applicant, Joe Salisbury, from DAI, reported that the residential complex would ultimately be
15 called Fossil Cove as was the residential unit next door. He reviewed the site plan and open spaces
16 with the Commission and described the locations of various amenities for the facilities including
17 a dog park, pool, hot tub, clubhouse, fitness centers, and fire pit areas. He stated that they had
18 exceeded the point requirements. One of the requirements for points was to have a consistent
19 theme, which they had provided. He described how the installed custom bike racks and artwork
20 throughout reflect the theme. He also showed pictures of a similar complex he developed in
21 Herriman. He provided details on the Fencing Plan, which needs to be permitted. He also provided
22 details on the various dumpsters and recycling containers within the complex. He estimated that
23 they were 18% over the required parking requirement as they have 248 stalls compared to the
24 required 208.

25
26 Chair Butler asked about visitor access if parking is in the common area. The applicant stated that
27 the Fire Department requested a walkway and hinged fire doors in some areas. There will be a
28 pedestrian opening along with the fire accesses. No parking signs were to be posted in the street
29 areas as in his other residential projects.

30
31 In response to a question raised by Commissioner Hargett, it was confirmed that all of the units
32 will be rentals. Rents were expected to be \$2,200 to \$2,800 per month with full-time on-site
33 property management. Commissioner Hargett asked if two dumpsters were adequate for 83 units.
34 The applicant stated they will have two six-yard dumpsters and a recycling bin with service three
35 times per week. They will also offer valet trash service, which will not be subsidized.

36
37 Director Cardenas reported that the project was proposed to be built in phases, which will help
38 with any future required improvements. He presented the five-phased plan and stated that the
39 Building Department will provide Certificates of Occupancy. He noted that the project started
40 before the driveway requirement was adopted and does not have to comply if the garage widths
41 remain unchanged. Commissioner Martineau asked if safety issues were considered given that

1 construction was to be done in phases. Engineer Wilson stated that they had been working with
2 the developers and will continue to do so.

3
4 Chair Butler opened the public hearing.

5
6 *Kevin Vo*, the owner of a business on State Street, was concerned about continuing business access
7 and traffic on State Street. His location was individually addressed. Engineer Wilson reported
8 that they were working with the applicant and his team regarding maintaining access. He also
9 asked about fencing and trash collection. The applicant stated that trash will be kept inside an
10 enclosure.

11
12 There were no further public comments. The Chair closed the public hearing and invited the
13 Commission to either continue the discussion regarding this item or he would entertain a motion
14 if no further discussion was necessary.

15
16 There was further discussion regarding the adequacy of the setbacks and the locations that will be
17 impacted. It was noted that care needed to be taken regarding the adjacent property and fencing
18 during construction to ensure that access to the business is adequate. Director Cardenas stated that
19 fencing could be added as a condition but should be addressed in the Code.

20
21 **MOTION:** Commissioner Steele moved that the Planning Commission forward a
22 recommendation of APPROVAL for the request of Joe Salisbury for the proposed seven-lot and
23 one parcel plat on property located at approximately 392 East State Street, in the CS-2
24 (Commercial Sales-2) Zone; and adopting the exhibits, conditions, and findings of the staff report,
25 and as modified by the condition below.

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

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

31
32 **MOTION:** Commissioner Hargett moved that the Planning Commission APPROVE the request
33 of Joe Salisbury for a Conditional Use Permit to allow a multi-family project with residential
34 townhome units (Use # 1151) on property located at approximately 392 East State Street, in the
35 CS-2 (Commercial Sales – 2) Zone; and adopting the exhibits, conditions, and findings of the staff
36 report, and as modified by the conditions below:

- 37
38 1. All Final Planning, Engineering, and Fire Department requirements are met.
39
40 2. To allow for staff to confirm the compliance regarding landscape, required open
41 space/usable open space, fencing, and additional design standards.
42

Commissioner Fugal seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

MOTION: Commissioner Fugal moved the Planning Commission forward a recommendation of APPROVAL for the request of Joe Salisbury for the proposed site plan on property located at approximately 392 East State Street, in the CS-2 (Commercial Sales – 2) Zone; and adopting the exhibits, conditions, and findings of the staff report, and as modified by the conditions below:

1. All Final Planning, Engineering, and Fire Department requirements are met.
2. To allow for staff to confirm the compliance regarding landscape, required open space/usable open space, fencing, and additional design standards.

Commissioner Martineau seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

MOTION: Commissioner Fugal moved to add an additional condition of approval as follows:

3. Staff shall approve all Phasing Plans during construction.

Commissioner Martineau seconded the motion. The Commissioners unanimously voted “Aye.” The motion carried.

ITEM 11 – Public Hearing: Preliminary Subdivision Plat – Located at c 67 South Main Street.

(Old Fort Neighborhood)

Public Hearing to Consider the Request of Historic Main Street Partners LLC for a One-Lot Preliminary Subdivision Plat, called Historic Main Street Condominiums Plat 'A' on 0.29 acres, Approximately Located at 67 South Main Street in the Downtown Village – Commercial (DV-C) Zone.

ITEM 12 – Public Hearing: Preliminary Condominium Plat – Located at Approximately 67 South Main Street.

(Old Fort Neighborhood)

Public Hearing to Consider the Request of Historic Main Street Partners LLC for a 25-Lot Condominium Plat, called Historic Main Street Condominiums Plat 'B' on 0.29 acres, Approximately Located at 67 South Main Street in the Downtown Village – Commercial (DV-C) Zone.

1 **ITEM 13 – Public Hearing: Site Plan – Located at Approximately 67 South Main Street.**
2 **(Old Fort Neighborhood)**

3 Public Hearing to Consider the Request of Historic Main Street Partners, LLC for a Commercial
4 Site Plan, Approximately Located at 67 South Main Street in the Downtown Village – Commercial
5 (DV-C) Zone.
6

7 **ITEM 14 – Public Hearing: Conditional Use Permit – Located at Approximately 67 South**
8 **Main Street.**
9 **(Old Fort Neighborhood)**

10 Public Hearing to Consider the Request of Historic Main Street Partners, LLC for a Conditional
11 Use Permit to Allow Mixed Use Commercial Buildings with 19 Residential Units (Use # 1133),
12 Approximately located at 67 South Main Street in the Downtown Village – Commercial (DV-C)
13 Zone.
14

15 **ITEM 15 – Public Hearing: Conditional Use Permit – Located at Approximately 67 South**
16 **Main Street.**
17 **(Old Fort Neighborhood)**

18 Public Hearing to Consider the Request of Historic Main Street Partners, LLC for a Conditional
19 Use Permit to Allow for Joint Parking, Approximately Located at 67 South Main Street in the
20 Downtown Village – Commercial (DV-C) Zone.
21

22 Items 11, 12, 13, 14, and 15 were heard together but voted on separately.
23

24 Planner Hawkins presented the staff report and stated that the subject property is located at 67
25 South Main Street in the Downtown Village – Commercial (DV-C) Zone. The applicant was
26 seeking a one-lot Preliminary Subdivision Plat, a 24-unit Preliminary Condominium Plat, a
27 Commercial Site Plan, a Conditional Use Permit for development, and a Conditional Use Permit
28 to allow up to 15 joint parking spaces. On an aerial image, he identified the development that is
29 located just behind City Hall on Main Street.
30

31 Planner Hawkins reported that the one-lot plat is .29-acre in size. Because it is in the Downtown
32 area along Main Street, the minimum lot size was required to be 5,000 square feet with a minimum
33 width requirement of 50 feet and zero setbacks on all sides. He noted that the design standards for
34 the area require that buildings on Main Street be built to the sidewalk or property line. There was
35 no minimum requirement from building foundation to building foundation for commercially zoned
36 properties. As a result, there was no building envelope for the subdivision plat with the exception
37 of the property boundaries. It was noted that the subdivision commercial plat encompassed the
38 entire project.
39

40 Planner Hawkins reported that the condominium plat, called Historic Main Street Condominiums
41 Plat 'B,' divided the building into 24 units, of which 19 were to be privately owned residential
42 units. The other five units were for commercial business units. The remainder of the area was

1 considered common area. The size of the condominium plat was the same as the subdivision plat.
2 The building and common areas were to be managed by the Association.
3

4 Using the Site Plan, Panner Hawkins reported that the mixed-use building was to be placed at the
5 front of the property on the property line with parking in the rear. He showed the floor plans and
6 indicated that the basement will be used for business extension and residential storage. The ground
7 floor will be retail with the second, third, and fourth floors being designated for residential units.
8 Other details addressed by Planner Hawkins included the building materials and the height
9 requirements for the building, which is within the maximum height allowed by Code. He described
10 the details of one of the dumpsters, which was to be placed at a 45-degree angle to allow greater
11 ease in pick-up.
12

13 Planner Hawkins described the Conditional Use Permit requirements for mixed-use multi-
14 residential units as allowing a maximum of three residential units for every 1,000 square feet of
15 commercial space with direct access to a public street. The proposed building includes 10,075
16 square feet of commercial with the ground floor and basement consisting of 1,073 square feet.
17 Without counting the basement space, there was still enough square footage to cover the proposed
18 19 residential units.
19

20 Planner Hawkins reviewed the requirements for parking for commercial space, which requires one
21 space for every 500 feet of gross floor area with access to the public street. 10,000 square feet of
22 commercial space on the ground floor would require 20 parking spaces for commercial use. The
23 parking stalls in front were to be designated for commercial use only. For the residential parking
24 spaces, the requirement was more complicated. He noted that the Downtown Village design
25 guidelines require one parking stall for each residential unit within the base residential density. He
26 described the base residential density as equal to the number of parking stalls provided for non-
27 residential uses divided by three. Residential units in excess of the base residential density were
28 to be allowed provided that each unit has two parking stalls in excess of the base residential density.
29 That means that seven of the 19 residential units would be allowed one parking space. The
30 remaining residential units would have two. He concluded that 31 residential spaces were required
31 for residential use, making the total parking requirement 51 spaces.
32

33 Planner Hawkins reported that there are five parking spaces directly in front of the building and
34 21 spaces behind. Additionally, there were 10 to 12 shared parking spaces on City property located
35 behind the property and at City Hall. In total, 38 parking spaces could be used for the building.
36 Because there was no additional parking available on the property, the Conditional Use Permit for
37 additional parking was required. The applicant was requesting a Joint Parking Agreement between
38 the commercial and residential uses as the commercial uses take place primarily during the day.
39 The residential uses are primarily nighttime uses. Zoning ordinance Section 10-18-2-S-1 allows
40 up to 50% percent of a parking facility's nighttime use to be for daytime use. Consequently, of
41 the 31 residential spaces, 15 could be used for daytime commercial use. Given that use, the parking
42 requirements for the project were considered satisfied.

1
2 Staff recommended approval of all items, with the condition that all final Planning, Engineering,
3 and Fire Department requirements be met.
4

5 Commissioner Fugal asked how staff determined daytime versus nighttime use. Planner Hawkins
6 responded that daytime commercial use would be determined by when the businesses close at
7 night. There was discussion regarding timing issues, changes in how people work (i.e., remote
8 jobs), and whether there were any guidelines addressing such an issue. Additionally, there was
9 discussion regarding the parking in the rear and accesses that are available to the building. Planner
10 Hawkins stated that changes were being made to the Development Agreements involving widening
11 areas for access and landscape maintenance issues.
12

13 The applicant, Drew Armstrong, was present along with his partner, Mindy Fung, from ERA
14 Brokers Consolidated. They had been working on the project since 2015. A Cross Access
15 Easement needed to be finalized and they would be making changes to the parking to free up
16 additional spaces. He also referenced joint parking agreements that were not used in the current
17 calculations that could provide additional parking. The applicant stated that Planner Hawkins
18 found the parking space limitations for him and described how he found additional parking spaces.
19 In relation to walkways, when the building was constructed, it was 50 feet wide. The property
20 boundary was 60 feet wide. At that time, the City traded some parking spaces for a right-of-way
21 on the side of the building for a walkway. There was no walkway on either side of the building to
22 go from the front to the back, but there were doors for each business to provide access to the sites
23 from the rear. He noted that some of the businesses do not have customers and only employees.
24 Mr. Armstrong described the original plans and stated that the best option was to combine their
25 separate developments into one building and convert part of it into condominiums. He was excited
26 about the project and thought it would benefit downtown. There was general discussion about
27 parking issues, ordinances, adequacy, and alternatives.
28

29 Chair Butler opened the public hearing. There were no public comments. The Chair closed the
30 public hearing and invited the Commission to either continue the discussion regarding this item or
31 he would entertain a motion if no further discussion was necessary.
32

33 Commissioner Steele commented that if businesses are successful, the day and night hours could
34 overlap, however, based on past practices, Joint Parking Agreements have been effective. He
35 noted that the downtown area will benefit from the project and was approved based on compliance
36 with the requirements.
37

38 Commissioner Martineau asked if the project helped their vision of downtown. There was
39 discussion about the Business District and attracting commercial development. Chair Butler asked
40 about traffic issues. There was discussion that traffic was not the issue but parking. The applicant
41 described how the façade of the building will improve the look of the area. He got some pushback
42 about removing the old building and how it would be reassembled but stated that they were careful

1 with the architectural detail and the design was taken from history books to keep the architectural
2 detail intact.

3
4 Planner Hawkins provided a correction regarding parking and stated that the Zoning Ordinance
5 still requires two parking stalls per unit. Therefore, the parking requirement was 58 spaces.

6
7 **MOTION:** Commissioner Martineau moved that the Planning Commission forward a
8 recommendation of APPROVAL for the request of Historic Main Street Partners, LLC for the
9 proposed Preliminary Subdivision Plat on property located at approximately 67 South Main Street
10 on property zoned Downtown Village - Commercial (DV-C); and adopting the exhibits,
11 conditions, and findings of the staff report, and as modified by the condition below:

- 12
13 1. All Final Planning, Engineering, and Fire Department Requirements are met.

14
15 Commissioner Patten seconded the motion. The Commissioners unanimously voted "Aye". The
16 motion carried.

17
18 **MOTION:** Commissioner Steele moved that the Planning Commission forward a
19 recommendation of APPROVAL for the request of Historic Main Street Partners, LLC for the
20 proposed Preliminary Condominium Plat on property located at approximately 67 South Main
21 Street on property zoned Downtown Village - Commercial (DV-C); and adopting the exhibits,
22 conditions, and findings of the staff report, and as modified by the condition below:

- 23
24 1. All Final Planning, Engineering, and Fire Department Requirements are met.

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

28
29 **MOTION:** Commissioner Fugal moved that the Planning Commission APPROVE the request of
30 Historic Main Street Partners, LLC for the Conditional Use Permit to allow mixed-use on property
31 located at approximately 67 South Main Street and zoned Downtown Village – Commercial
32 (DV-C); and adopting the exhibits, conditions, and findings of the staff report, and as modified by
33 the conditions below:

- 34
35 1. Any alterations to any existing structures, or construction of new structures, will
36 require a Building Permit.
37
38 2. All Final Planning, Engineering, and Fire Department requirements are met.

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

1 **MOTION:** Commissioner Steele moved that the Planning Commission APPROVE the request
2 of Historic Main Street Partners, LLC for the Conditional Use Permit to allow 16 joint parking
3 spaces, on property located at approximately 67 South Main Street and zoned Downtown Village
4 – Commercial (DV-C); and adopting the exhibits, conditions, and findings of the staff report, and
5 as modified by the conditions below:

- 6
- 7 1. The proposal will be subject to a site plan review by Staff.
- 8
- 9 2. Parking facilities will need to be built of impervious materials (asphalt or concrete)
- 10 as required by Engineering.
- 11
- 12 3. Any alterations to any existing structures, or construction of new structures, will
- 13 require a Building Permit.
- 14
- 15 4. All Final Planning, Engineering, and Fire Department requirements are met.
- 16

17 Commissioner Martineau seconded the motion. The Commissioners unanimously voted “Aye”.
18 The motion carried.

19

20 **MOTION:** Commissioner Fugal moved that the Planning Commission forward a
21 recommendation of APPROVAL for the request of Historic Main Street Partners, LLC for the
22 proposed Site Plan on property located at approximately 67 South Main Street on property zoned
23 Downtown Village – Commercial (DV-C); and adopting the exhibits, conditions, and findings of
24 the staff report, and as modified by the condition below:

- 25
- 26 1. All Final Planning, Engineering, and Fire Department Requirements are met.
- 27

28 Commissioner Hargett seconded the motion. The Commissioners unanimously voted “Aye”. The
29 motion carried.

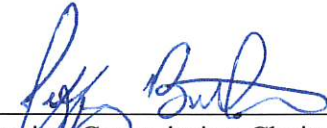
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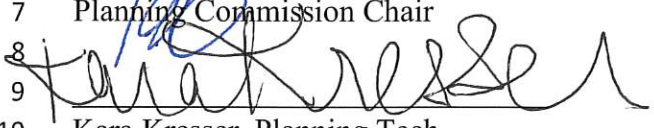
31 **ITEM 16 - Review and Approve the Minutes from the June 9, 2022, and June 23, 2022,**
32 **Planning Commission Meetings.**

33

34 **MOTION:** Commissioner Fugal moved to APPROVE the minutes of June 9, 2022, and June 23,
35 2022, as printed. Commissioner Patten seconded the motion. The Commissioners unanimously
36 voted “Aye”. The motion carried.

1 **MOTION:** Commissioner Steele moved to ADJOURN the meeting at 9:25 p.m. Commissioner
2 Martineau seconded the motion. The Commissioners unanimously voted "Aye". The motion
3 carried.

4
5
6 
7 Planning Commission Chair

8 
9
10 Kara Kresser, Planning Tech

11 
12
13 Date Approved