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3 PLEASANT GROVE CITY  
4 PLANNING COMMISSION MEETING MINUTES  
5 April 13, 2023  
6

7 **PRESENT:** Chair Dustin Phillips, Jim Martineau, Karla Patten, Jeffrey Butler, Wendy Shirley  
8

9 **STAFF:** Daniel Cardenas, Community Development Director; Jacob Hawkins, City Planner;  
10 Aaron Wilson, City Engineer; Kara Kresser, Planning Assistant; Kathy Kresser, City Recorder  
11

12 Chair Dustin Phillips called the meeting to order at 7:00 p.m.  
13

14 **Commission Business:**  
15

16 1. **Pledge of Allegiance and Opening Remarks:** Commissioner Patten led the Pledge of  
17 Allegiance. Commissioner Shirley offered the opening remarks.  
18

19 2. **Agenda Approval.**  
20

- 21 • **MOTION:** Commissioner Butler moved to APPROVE the agenda as written.  
22 Commissioner Martineau seconded the motion. The Commissioners unanimously  
23 voted "Aye". The motion carried.  
24

25 3. **Staff Reports:**  
26

- 27 • **MOTION:** Commissioner Martineau moved to APPROVE the Staff Reports as  
28 written. Commissioner Patten seconded the motion. The Commissioners  
29 unanimously voted "Aye". The motion carried.  
30

31 4. **Declaration of Conflicts and Abstentions from Commission Members.**  
32

33 There were no declarations or abstentions.  
34

1 **ITEM 1 - Public Hearing: Site Plan – Located at approximately 1495 West State Street.**  
2 **(Sam White’s Lane Neighborhood)**

3 Public Hearing to Consider the Request of Boyd Preece for a Commercial Site Plan for a  
4 Restaurant, located at approximately 1495 West State Street in The Grove Zone – Commercial  
5 Sales Subdistrict.

6  
7 City Planner, Jacob Hawkins, presented the Staff Report and stated that the property is located at  
8 1495 West State Street and is zoned The Grove – Commercial Sales. It is part of the Grove Mixed-  
9 Use Overlay. An aerial map was displayed. It was noted that there are residences to the south  
10 with additional commercial buildings anticipated to fill out the remainder of the vacant areas along  
11 State Street. There is a Master Plan for the area that outlines where the proposed buildings will go  
12 and the location of the parking and landscaping. It was noted that the proposed Site Plan for Soda  
13 Time largely follows the Master Plan.

14  
15 The Site Plan was displayed. Planner Hawkins reported that the distance from the back of the curb  
16 along State Street to the drive-thru is 20 feet. The proposed building is 515 square feet in size.  
17 With the parking ratio of one space for every 100 square feet, excluding the kitchen and storage  
18 spaces, approximately five parking spaces will be required for the building. Because the rest of  
19 the development has not been constructed, the Fire Department requires a 26-foot drive aisle access  
20 throughout the property. Once the additional commercial units are developed, there will be  
21 adequate access for the fire trucks. At that time, additional parking spaces will be added and the  
22 drive aisle will be reduced to 24 feet. Because there is currently no other access, the applicant is  
23 allocating 15% of the property as open space for landscaping.

24  
25 Planner Hawkins reported that the zoning ordinance specifies that there must be one tree for every  
26 1,000 square feet of landscaped area with 30% of the trees being evergreen. The applicant is  
27 providing five trees, which meets the zoning requirements; however, no evergreen trees are  
28 currently proposed. The applicant is trying to waive this requirement due to the high-water table  
29 in the area. If the Planning Commission finds that evergreens should be required, the applicant is  
30 willing to include them.

31  
32 Planner Hawkins reported that on February 27, 2023, the Design Review Board (“DRB”)  
33 recommended approval of the proposed Site Plan with the exception of the proposed materials. At  
34 that time, the applicant was requesting metal siding with a wood appearance. The zoning  
35 ordinance, however, generally prohibits the use of metal as a primary material. Since then, the  
36 applicant has changed the material to stained and sealed wood, which are approved materials.  
37 They still are requesting that the Planning Commission consider the metal siding due to its  
38 durability. With the exception of the evergreen trees and the requested metal siding, staff  
39 recommended approval of the proposed Site Plan.

1 In response to a question raised, Planner Hawkins clarified that the applicant would like a  
2 recommendation of approval from the DRB and compliance with the zoning ordinances. As a  
3 result, they are proposing wood in this case but would like to have metal, which is more durable.  
4 It was noted that cedar would have to be treated yearly to prevent it from turning gray while other  
5 materials will not.

6  
7 Planner Hawkins explained that the majority of each façade, excluding windows and doors, shall  
8 be constructed of the approved material. He reported that stucco, Exterior Insulation and Finish  
9 System (“EIFS”), metal, or untreated concrete block may be allowed by the Planning Commission  
10 as an accent or secondary material only. Metal-clad buildings or large sections of stucco or vinyl  
11 siding are prohibited. Brick, stone, earth-tone colored decorative block, fiber cement siding, wood,  
12 concrete, or other durable building material as approved by the DRB and the Planning Commission  
13 may be approved.

14  
15 Community Development Director, Daniel Cardenas, reported that the Code was written for The  
16 Grove Zone to prevent buildings from being constructed of corrugated metal or low-quality  
17 materials. He recommended that the Planning Commission look at the materials being proposed.  
18 He also stated that the Code cannot address every situation and there is room to work within the  
19 limits of the Code.

20  
21 Chair Phillips commented on the difference between accent and primary materials. Because what  
22 is proposed is aluminum rather than metal, they can avoid the undesirable look.

23  
24 The applicant, Boyd Preece, stated that the architect was not able to be present. He explained that  
25 this type of application has been used in the City in different zones or as a secondary material. For  
26 example, R&R Barbeque uses a similar material as an accent well as the Valley Grove I Office  
27 Building. The proposed metal material was selected because of its durability. There was concern  
28 expressed by the DRB that it may fade over time and there was some question as to whether there  
29 are other applications. The proposed material was expected to wear better than wood. The intent  
30 was to get the look of wood with the durability of metal. Chair Phillips asked to be provided with  
31 warranty information. Mr. Preece did not have that information available but agreed to provide it  
32 to the Commission.

33  
34 Commissioner Martineau liked the proposed material and stated that it is simple to assemble and  
35 will not move over time. He asked about fading. Director Cardenas clarified that the material has  
36 been used on other buildings as an accent.

37  
38 Chair Phillips opened the public hearing.

39  
40 *Siosaia Hafoka* reported that he lives directly behind the subject property. He commented that the  
41 proposed address is 1495 West. Crust Club's address is 1413 West State Street but there is no

1 entrance from State Street. The main entrance is from 300 West in front of his home. He asked if  
2 there will be an entrance from State Street to the proposed facility or if it will be from 300 West.

3  
4 Planner Hawkins confirmed that there will be an entrance on the Master Plan from State Street.  
5 Mr. Hafoka expressed concern about the number of small children who play in the area. He hoped  
6 there would be an entrance from State Street. Planner Hawkins referred to the plans and confirmed  
7 that an entrance is shown from State Street on the Master Plan.

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

12  
13 The Commission further discussed landscaping and building materials and concluded that they  
14 were okay with alternatives to evergreens. Mr. Preece commented that the developer they are  
15 working with has taken inventory of many of the pine trees in the area that have not survived. He  
16 does not want to plant trees that are going to die. They have adopted a similar policy in other areas  
17 of the City. They agreed to do whatever the Commission directs. Commissioner Shirley  
18 commented that Blue Spruce does very well but they get very large. Trees of smaller caliper seem  
19 to be more difficult to keep alive because they have a different rooting system. Some trees remain  
20 green even in the wintertime.

21  
22 The Commission further discussed metal as a building material. It was noted that there is less  
23 upkeep required with metal, which lasts longer than cedar. Commissioner Shirley asked about the  
24 fading associated with wood. Commissioner Martineau wanted to see warranty specifications  
25 included as well. The Commission discussed approving the motion with wood. Commissioner  
26 Patten agreed.

27  
28 Director Cardenas stated that when the accents go around the entire building the structure starts to  
29 resemble a shipping container. Commissioner Martineau suggested the possibility of doing  
30 wainscoting rather than the entire wall. If the applicant chooses to go with metal, the applicant  
31 can choose to go back to the DRB for approval. Commissioner Butler asked if there are design  
32 requirements that apply to this area or if there are certain parameters. Director Cardenas explained  
33 that the building that was approved is similar to what is proposed. The applicants can change the  
34 color and the signage. The DRB sent it back to the Commission because a change was made. The  
35 DRB did not recommend what is proposed by the applicant.

36  
37 Mr. Preece commented that the DRB did not see the sample until after the recommendation was  
38 made. Procedural issues were discussed. Chair Phillips stated that if approved as presented, the  
39 applicant could choose to go back to the DRB for something different or proceed forward to the  
40 City Council. Timing issues were discussed. Mr. Preece stated that the owner would prefer to  
41 proceed with a recommendation. The proposed windows on the building were identified as well

1 as the various building materials. Commissioner Shirley supported what is proposed since it is a  
2 small building.

3  
4 Director Cardenas stated that the issue is what is allowed by Code. It was noted that the Code  
5 allows the Planning Commission to consider other durable materials. Commissioner Butler stated  
6 that what is decided will set a precedent going forward. Director Cardenas shared staff's  
7 interpretation which is to allow brick, stone, or earth-tone colored decorative block, fiber/cement  
8 siding, wood concrete, or other durable building material as approved by the DRB and the Planning  
9 Commission. He clarified that the DRB did not approve it. It is also emphasized that stucco, EIFS,  
10 metal, or untreated concrete block ("CMU") may be allowed by the Planning Commission as an  
11 accent or secondary material only. The plans were changed because the DRB did not see it in that  
12 form.

13  
14 Commissioner Martineau suggested that the Commission approve the request as presented. The  
15 applicants can then seek approval from the DRB with the proposed change. Motion verbiage was  
16 discussed. Commissioner Shirley was comfortable granting approval because a wood façade was  
17 approved and they now have a different material that resembles wood. The comment was made  
18 that regardless of the appearance, it is not allowed by Code. Commissioner Shirley stated that the  
19 Code mentions "other materials" and therefore, considered what is proposed to be acceptable. It  
20 was noted that any alternative material must be approved by the DRB.

21  
22 **MOTION:** Commissioner Martineau moved that the Planning Commission forward a positive  
23 recommendation of APPROVAL for the request of Boyd Preece for a Commercial Site Plan for a  
24 restaurant on property located at approximately 1495 West State Street on property zoned The  
25 Grove Commercial Sales; and adopting the exhibits, conditions, and findings of the staff report,  
26 and as modified by the conditions below:

- 27  
28 1. All Final Planning, Engineering, and Fire Department requirements are met.  
29  
30 2. The structure must be built as approved with the wood siding.  
31  
32 3. If the proposed materials go back to the DRB and are accepted, the request can be  
33 presented to the City Council.

34  
35 Commissioner Butler seconded the motion. The Commissioners unanimously voted "Aye". The  
36 motion carried.

1 **ITEM 2 – Public Hearing: Preliminary Subdivision Plat – Located at approximately 200**  
2 **South 1050 East**  
3 **(Battle Creek Neighborhood)**

4 Public Hearing to Consider the Request of Blossom Hill, LLC for a 27-Lot Preliminary  
5 Subdivision Plat, called Blossom Hill Plat A, on 10.6 Acres, approximately located at 200 South  
6 1050 East in the R1-9 (Single-Family Residential) Zone.

7  
8 Planner Hawkins presented the Staff Report and displayed the zoning and aerial maps. The  
9 subdivision was originally heard by the Planning Commission on September 22, 2022. The  
10 original proposal for the development filled out the entire property. Since then, the applicant has  
11 made a few changes to develop the property in two parts. The subdivision is now proposed with  
12 27 lots and includes all infrastructure and easements necessary for this portion of the property.  
13 The remainder of the development will be completed at a later date, which will include the  
14 connection for 1185 East. There are no other changes since last time except for what is required  
15 by the Engineering Department regarding grading and drainage.

16  
17 Planner Hawkins reported that with the proposed change, staff is requiring the applicant to include  
18 the remaining section of land on the side as part of the subdivision labeled as Parcel A and  
19 categorize it as unbuildable without further subdivision. This requirement ensures that all  
20 easements, connections, and street frontage improvements are accounted for and is intended to  
21 eliminate any confusion for future development. The applicant agreed to this requirement noting  
22 concern about the language stating that Parcel A is unbuildable without further subdivision. The  
23 applicant feels that this language may have unintended consequences and implications. As a result,  
24 staff will work with the applicant regarding the language before it goes to the City Council. Staff  
25 recommended approval of the subdivision with the condition that the remainder of the existing  
26 property, referenced as future Plat C, be included in the proposed subdivision and labeled as  
27 Parcel A.

28  
29 Commissioner Martineau expressed concern with the sloping and terrain on the site if remains as  
30 an empty parcel. He asked how they intend to control erosion and flooding in the future. City  
31 Engineer, Aaron Wilson stated that a comment was included on the most recent plans for the  
32 applicants to address to ensure that the drainage from the existing lot that will remain open does  
33 not flood the surrounding lots. The matter will need to be addressed before being presented to the  
34 City Council.

35  
36 Commissioner Butler asked for clarification as to why it was labeled as Future Plat C rather than  
37 Plat B. Planner Hawkins identified Plat A and stated that the single lot was Plat B. Because the  
38 single lot is nearing completion this one was labeled as Plat C.

39  
40 The applicant, Russell Wilson, from Symphony Development thanked staff for their assistance.  
41 Commissioner Martineau stated that there was concern about connecting the roads there and the  
42 different elevation changes. He asked what the future holds with two dead-end corridors and

1 potential impacts on traffic. Mr. Wilson stated that they have been working closely with staff to  
2 ensure that the road is designed now. With respect to what is presented, the dead-end as shown  
3 has an adequate turn-around that is acceptable to the Fire Department.  
4

5 Chair Phillips opened the public hearing.  
6

7 *Stan Walker* stated that his property is adjacent to the north property line of the proposed 14 lots  
8 that are not developing currently. His primary concern is 1185 East. He commented that since  
9 the beginning the developer has been avoiding putting the road through. They asked them to install  
10 a turnaround at 1185 East on their property since there is not enough room on their side. They  
11 have a temporary turnaround now but it is too small to serve as a permanent turnaround. As a  
12 result, the City is requiring that they put the road through. Mr. Walker reported that last month he  
13 spoke to Mr. Wilson who indicated that they still intend to put 1185 East through.  
14

15 Mr. Walker called the City Engineer and asked him if it is required as part of Plat A. He was  
16 informed that it is not required. Mr. Walker stated that the neighbors granted approval of the road  
17 situation for the development and was approved by the City Council. Neither plat has been  
18 approved by the City Council. His concern was that if they do not put it through now, they never  
19 will and the upper section near his home will go to weeds like it did last year. For years a neighbor  
20 mowed the property and controlled the weeds. On the south side of his property, Mr. Walker is  
21 inundated with weeds from the field. If approval is granted, he suggested that the applicants be  
22 required to put 1185 East through and maintain the property. Chair Phillips noted that in terms of  
23 Code Enforcement, there are weed restrictions. If there are issues with it not being maintained,  
24 they can be brought to the City's attention and cited if necessary.  
25

26 *Justin Davis* was concerned that the applicants want to construct a road off of 1050 East. He stated  
27 that many people travel on 1050 East from 200 South to the nearby neighborhood. On the corner,  
28 there is a school bus stop where vehicles pass at high rates of speed where there are numerous  
29 small children. He has seen cars jump the ditch because they are driving so fast on their way to  
30 the other side of the neighborhood. What is proposed will only exacerbate the traffic situation.  
31 He suggested that speed bumps be installed to deter speeders.  
32

33 Commissioner Martineau stated that the City avoids installing speed bumps due to damage to roads  
34 and snowplows. Sidewalks, however, will be installed on the east side as part of the new  
35 development, which should help the situation. Mr. Davis reported that his neighbors share his  
36 concern. Director Cardenas commented that the issue can be discussed with Public Works.  
37 Possible solutions were discussed such as increasing the number of roundabouts in the area.  
38 Mitigation issues were discussed.  
39

40 *Steven Kennedy* commented that the noise and speeding of vehicles are of concern.  
41

1 *Patricia Kennedy* was interested in what the project will look like on the east side and what their  
2 view will be. She was informed that her view will be of other homes from her property. A fence  
3 could be placed on the west side of the property if desired by the property owner. Mrs. Kennedy  
4 stated that work is underway and she has noticed that heavy equipment is being parked on the west  
5 side of the road but used elsewhere. She asked that it be parked on the east side of the road.  
6 Engineer Wilson stated that the developer is staging on the property but working on a City project  
7 on 1300 East. He agreed to speak with the contractors and make sure they are not parking on Mrs.  
8 Kennedy's property. Engineer Wilson stated that it is a long-term project but they are currently  
9 working on water lines. The work was expected to last until October or November 2023 at which  
10 time the contractor may transition to working for this developer.

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

15  
16 Commissioner Martineau agreed with the concerns about the dead-end roads. Commissioner  
17 Shirley stated that there is not much the City can do since the developer is in compliance with  
18 Code. The developer is currently meeting the requirements of the lots they are developing and is  
19 not required to put the road through now. They also discussed concerns about weeds and ensuring  
20 that the property owners maintain the property. Director Cardenas agreed to pass the concerns  
21 raised along to Code Enforcement.

22  
23 **MOTION:** Commissioner Martineau moved that the Planning Commission forward a positive  
24 recommendation of APPROVAL for the request of Blossom Hill, LLC for a Preliminary  
25 Subdivision Plat located at approximately 200 South 1050 East on property zoned R1-9 (Single-  
26 Family Residential) Zone; and adopting the exhibits, conditions, and findings of the staff report,  
27 and as modified by the condition(s) below:

- 28  
29 1. The remainder of the existing parcel referenced as "Future Plat C" must be  
30 included in the proposed subdivision and labeled as "Parcel A".  
31  
32 2. All Final Planning, Engineering, and Fire Department requirements are met.

33  
34 Commissioner Patten seconded the motion. The Commissioners unanimously voted "Aye". The  
35 motion carried.

36  
37 **ITEM 3 – Review and Approve the Minutes of the Mar. 9, 2023, Meeting.**

38  
39 **MOTION:** Commissioner Butler moved to APPROVE the minutes from March 9 and March 23,  
40 2023. Commissioner Martineau seconded the motion. The Commissioners unanimously voted  
41 "Aye". The motion carried.



1 **MOTION:** Commissioner Martineau moved to ADJOURN. The motion passed with the  
2 unanimous consent of the Commission

3

4 The Planning Commission Meeting adjourned at 8:06 p.m.

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\_\_\_\_\_  
9 Planning Commission Chair

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12 Kathy Kresser, City Recorder

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14

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Date Approved