

PLEASANT GROVE CITY PLANNING COMMISSION MEETING MINUTES MAY 25, 2023

PRESENT: Chair Dustin Phillips, Jim Martineau, Karla Patten, Todd Fugal, Wendy Shirley

STAFF: Daniel Cardenas, Community Development Director; Kara Kresser, Planning Assistant; Jacob Hawkins, City Planner; Kathy Kresser, City Recorder; Christina Gregory, Planning Tech; Aaron Wilson, City Engineer; Sean Cho, Staff Engineer

EXCUSED: Commissioner Jeffrey Butler

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

Commission Business:

1. Pledge of Allegiance and Opening Remarks: Commissioner Karla Patten led the Pledge of Allegiance. Commissioner Todd Fugal led the opening remarks.

2. Agenda Approval.

Agenda Item Number 2 was continued and Item 10 was canceled.

• MOTION: Commissioner Fugal moved to APPROVE the Agenda, with the stated changes. Commissioner Martineau seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

3. Staff Reports:

• MOTION: Commissioner Fugal moved to APPROVE the Staff Reports as presented. Commissioner Patten seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

4. Declaration of Conflicts and Abstentions from Commission Members.

There were no declarations or abstentions.

ITEM 1 - Public Hearing: Preliminary Subdivision Plat - Located at approximately 1309 1

- 2 North 380 East
- (Big Spring Neighborhood) 3
- Public Hearing to Consider the Request of Jason Fox for a Six-Lot Preliminary Flag Lot 4
- Subdivision Plat called Gordon Grove Subdivision Plat 'B' on 2.22 Acres, approximately located 5
- at 1309 North 380 East in the R1-8 (Single-Family Residential) Zone. 6

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- 8 City Planner, Jacob Hawkins, presented the Staff Report and stated that the applicant, Jason Fox, is seeking a six-lot preliminary flag lot subdivision plat, called Gordon Grove Subdivision plat 'B' 9
- located at 1309 North 380 East in the R1-8 (Single-Family Residential) Zone. On an aerial map, 10
- the properties identified to the north and west were identified as single-family homes in the R1-10 11
- (Single-Family Residential) Zone. Originally, the subject property was included as part of the 12
- 13 Gordon Grove Subdivision plat 'A'. It was recorded on October 3, 2002, and was comprised of
- two lots, one of which contained an existing home. For the current plan, the developer added 14
- additional property for a boundary line adjustment and the proposed plat now has six lots on 2,22 15
- acres. Each of the lots meet the minimum width requirements of 85 feet and minimum size 16
- requirement of 8,000 square feet. The plat also contains a flag lot which meets the 25-foot-wide 17
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 - common stem requirement. As the overall project meets the zoning and flag lot requirements, staff
- recommends approval. 19

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Chair Phillips 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.

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MOTION: Commissioner Fugal moved that the Planning Commission forward a positive recommendation of APPROVAL for the request of Jason Fox for a subdivision plat called Gordon Grove Plat 'B', located at approximately 1309 North 380 East on property zoned R1-8; and adopting the exhibits, conditions, and findings of the staff report, and as modified by the condition below:

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

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

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- ITEM 2 Public Hearing: Preliminary Subdivision Plat Located at approximately 333 East 1100 North.
- 38 (Big Spring Neighborhood)
- 39 Public Hearing to Consider the Request of Forrest Call Real Estate, LLC for a Six-Lot Preliminary
- Flag Lot Subdivision Plat, called Walnut Grove Plat 'B' on 2.11 Acres, approximately located at 40
- 41 333 East 1100 North in the R1-8 (Single-Family Residential) Zone. The above item was
- continued. 42

1 ITEM 3 - <u>Public Hearing: Vicinity Plan Amendment - Located at approximately 585 East</u> 500 North.

3 (Monkey Town Neighborhood)

Public Hearing to Consider the Request of Jeff Strong for a Vicinity Plan Amendment, approximately located at 585 East 500 North in the R1-8 (Single-Family Residential) Zone.

7 ITEM 4 – <u>Public Hearing: Preliminary Subdivision Plat - Located at approximately 585</u> 8 East 500 North.

9 (Monkey Town Neighborhood)

Public Hearing to Consider the Request of Jeff Strong for a Three-Lot Preliminary Flag Lot Subdivision Plat, called Chriswood West Plat 'A' on 0.9562 Acres, approximately located at 585 East 500 North in the R1-8 (Single-Family Residential) Zone.

Agenda Items 3 and 4 were heard together but voted on separately.

Planner Hawkins presented the Staff Report and stated that the applicant, Jeff Strong, is seeking approval of a Vicinity Plan Amendment and approval of a Preliminary Flag Lot Subdivision Plat called Chriswood West Plat 'A' at 585 East 500 North in the R1-8 (Single-Family Residential) Zone. The zoning map and an aerial map were displayed. The subject property was identified and is surrounded by single-family residences. The existing Vicinity Plan was shown in blue and the subject property was marked in red. Access to the rear of the subject property was originally planned to come from a cul-de-sac on 600 North. That cul-de-sac also was to provide access to the properties to the east if they are ever developed. Currently, the applicant does not have permission from the surrounding neighbors to build the cul-de-sac which would, if built, impact their property. The applicant's only alternative was to develop the land using a flag lot that meets all Planning, Fire, and Engineering Department requirements. The proposed Vicinity Plan Amendment uses the same cul-de-sac but places it further north. As the proposed Vicinity Plan provides access for all impacted lots, staff recommended approval.

As for the subdivision, the applicant was proposing to develop two additional lots behind the existing home. Each of the two additional lots is 85 feet wide and contains over 8,000 square feet in area. The flag lot common stem is also 25 feet in width, which meets all zoning requirements. With all requirements being met, staff recommended approval.

Planner Hawkins was asked to identify the use of the hash-marked section of Lot 1. The area is identified as a 20-foot-wide storm drain and detention easement area in favor of Lots 2 and 3. When asked how the stem lot will affect the easement area, City Engineer, Aaron Wilson, stated that there will be no impact on the cul-de-sac as the detention area does not direct water to the public right-of-way but rather allows water to soak into the ground.

Chair Phillips opened the public hearing.

John Webster reported that he lives to the west of Lot 3. He described a long-standing path of flood irrigation going through Lot 1 and the common stem area. He had initial discussions with Mark Bezzant and the applicant about general plans for the ditch and its maintenance but had not

heard anything further. He wanted to know what work was to be done and until he knows that information, he was opposed to the proposed change.

Engineer Wilson reported that the drainage area is to be included in the engineering comments. He has been advised that the applicant plans on putting in a 15-inch pipe, which is the size of the ditch but details remain to be worked out. The applicant will also be required to get Mr. Webster's approval as a special condition. Mr. Webster additionally stated that his neighbors expressed concern about emergency vehicle access in the cul-de-sac. Mr. Webster was informed that adequate emergency access is part of the engineering and fire department requirements.

There were no further 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 Patten moved to recommend APPROVAL of the request of Jeff Strong for a Vicinity Plan Amendment for property located at approximately 585 East 500 North in the R1-8 (Single-Family Residential) 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 Fugal seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

 MOTION: Commissioner Martineau moved that the Planning Commission forward a positive recommendation of APPROVAL for the request of Jeff Strong for a three-lot preliminary flag lot subdivision plat for property located at approximately 585 East 500 North in the R1-8 (Single-Family Residential) 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, and that any irrigation issues are addressed.

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

Items 5, 6, and 7 were heard together but voted on separately.

ITEM 5 – <u>Public Hearing: Preliminary Subdivision Plat - Located at approximately 220</u> South Garden Grove Lane.

40 <u>South Garden Grove Lane.</u>41 (Sam White's Lane Neighborhood)

- 42 Public Hearing to Consider the Request of Adam Lambert for a One-Lot Preliminary Subdivision
- Plat, called Triple Play Baseball Plat "A" on 1.623 acres, approximately located at 220 South
- 44 Garden Grove Lane in The Grove Zone-Commercial Sales Subdistrict.

1 ITEM 6 - Public Hearing: Conditional Use Permit - Located at approximately 220 South

- 2 Garden Grove Lane.
- 3 (Sam White's Lane Neighborhood)
- 4 Public Hearing to Consider the Request of Adam Lambert for a Conditional Use Permit for Use
- 5 #7420 Playgrounds and Athletic Areas, located at approximately 220 South Garden Grove Lane
- 6 in The Grove Zone Commercial Sales Subdistrict.
- 7 Public Hearing to Consider the Request of Adam Lambert for a One-Lot Preliminary Subdivision
- 8 Plat, called Triple Play Baseball Plat 'A' on 1.623 Acres, approximately located at 220 South
 - Garden Grove Lane in The Grove Zone Commercial Sales Subdistrict.

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ITEM 7 - Public Hearing: Site Plan - Located at approximately 220 South Garden Grove

12 Lane.

(Sam White's Lane Neighborhood)

- 14 Public Hearing to Consider the Request of Adam Lambert for a Commercial Site Plan for an Indoor
- 15 Baseball Facility, located at approximately 220 South Garden Grove Lane in The Grove Zone -
- 16 Commercial Sales Subdistrict.

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- Planner Hawkins presented the Staff Report for all three items. On Zoning and Aerial Maps, the property was shown to be located at 220 South Garden Grove Lane in The Grove Zone -
- property was shown to be located at 220 South Garden Grove Lane in The Grove Zone -Commercial Sales Subdistrict. To the south is Evermore Park and to the east are office buildings.
- To the north and west are residences. Specifically, to the north, the residences under construction
- are of a higher density and consist of townhomes and single-family homes. The subdivision plat
- was, at one time included in a different plat called Oliver's Plat 'A', which contains documentation
- 24 that it was not buildable until it was re-platted. A 1700 West right-of-way was dedicated to the
- 25 City. The subdivision fulfills those requirements. In The Grove Zone-Commercial Sales
- 26 Subdistrict, there are no width or area frontage requirements. The remaining requirements to be
- 27 met include 25-foot setbacks from the back of the curb along Garden Grove Lane and a building
- setback of 25 feet from the residentially zoned property.

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- The property was to be used for an indoor baseball facility, which fits within the permitted
- conditional uses (Use #7420 playgrounds and athletic areas) in the zone. Examples of such uses
- include amateur baseball fields and in-field areas for competitive sports (without bleachers) that are not a part of school playgrounds. Specific uses for Conditional Use Permits may be imposed
- by the Planning Commission to preserve the health, safety, or general welfare of people and
- property in the area. As the area is adjacent to residential areas, Section 10-15-29 (Transitional
- Developmental Standards for Non-residential Uses Bordering Residential Zones) is applicable. It
- addresses noise, lighting, and uses and requires buffers for parking, loading docks, and trash cans.
- 38 No street parking is permitted for this use and if parking or traffic becomes a problem, a Shared
- 39 Licensing Agreement will be required. If on-street parking becomes a problem, the business
- 40 license can be revoked.

- 42 Planner Hawkins reported that for the Site Plan, the proposed building size is approximately
- 43 24,400 square feet and 35 feet high. Building materials to be used include a mixture of brick, fiber
- cement siding, and stone. The applicant will also be using stucco as an accent feature in some areas, and windows will be added on the Garden Grove Lane side. The bottom portion of the
- building in the site plan will face Garden Grove Lane and staff will work with the applicant to

ensure that the colors are harmonious with the surrounding area. The site plan showing parking identified a setback from the curb of 20 feet, which could be approved by the City Council if the development has enhancements exceeding the City standards for architectural amenities and landscaping. A six-foot fence was constructed along the north property line by the adjacent development. The applicant will continue that same fence along the west side of the property, if the adjacent neighbor agrees, or will install a masonry wall. The 87 parking spaces planned exceed the required 82 spaces. Sufficient landscaping was provided with 14% of the property being used for open space. There will be 12 trees, which include three evergreen trees. An additional evergreen tree will be provided to meet the minimum requirements. As the minimum requirements have been met for the zone, staff recommended approval.

Chair Phillips opened the public hearing.

Community Development Director, Daniel Cardenas, informed the Commission that he received an email expressing concern from Property Manager Lance Studebaker, who represents the owners of Urban Grove, a business located east of the proposed project. Mr. Studebaker indicated that Urban Grove is highly opposed to the project zoning, as it will degrade the integrity of the Class A building and negatively impact the area. The email further suggests that this is a non-conforming use that will bring noise and traffic problems to the area. Director Cardenas stated that the email request for a video appearance is not feasible but the author was informed by text that the expressed concerns were relayed to the Planning Commission. Staff's position was that the use is a conditional permitted use and the development meets the zoning requirements. He also noted that the development has been reviewed and approved by the Design Review Board ("DRB") and the building front will be heavily landscaped.

Chair Phillips acknowledged that the email concerns have been heard and no zoning request was being addressed at this meeting. There was discussion among the Commissioners about the adequacy of the proposed landscaping, the hours of activity, and traffic/parking requirements. It was noted that open-space sports activities are allowed in the zone and the proposed use is less invasive as it involves internal play. It was also noted that the noise requirements are in place per Code.

There were no further 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 Fugal moved that the Planning Commission forward a positive recommendation of APPROVAL for the request of Adam Lambert for a 1-Lot Subdivision Plat called Triple Play Baseball Plat 'A', located at approximately 220 South Garden Grove Lane on property zoned The Grove -Commercial Sales Subdistrict; 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 Martineau seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

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Director Cardenas commented that the applicant will be required to obtain a Business License as required by Code. He recently received an alert from an attorney for the neighbors who sent a note regarding a parking reduction. Director Cardenas stated that the parking was not reduced but rather increased. He also noted that staff would address any other concerns with the neighbors.

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MOTION: Commissioner Fugal moved that the Planning Commission APPROVE the Conditional Use Permit for Adam Lambert to permit Use #7420 – Playgrounds and Athletic Areas, located at approximately 220 South Garden Grove Lane on property zoned The Grove – Commercial Sales Subdistrict; and adopting the exhibits, conditions, and findings of the staff report, and as modified by the conditions below:

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1. Street parking is prohibited.

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

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

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MOTION: Commissioner Patten moved that the Planning Commission forward a positive recommendation of APPROVAL for the request of Adam Lambert for a Commercial Site Plan for an indoor baseball facility, located at approximately 220 South Garden Grove Lane on property zoned The Grove - Commercial Sales Subdistrict; and adopting the exhibits, conditions, and findings of the staff report, and as modified by the condition below:

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

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

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ITEM 8 - <u>Public Hearing: Preliminary Subdivision Plat - Located at approximately 450</u> South North County Boulevard.

31 <u>South North County Boulevard.</u>32 (Sam White's Lane Neighborhood)

- 33 Public Hearing to Consider the Request of Jared Osmond for a Three-Lot Preliminary Subdivision
- Plat, called Pleasant Grove Retail Subdivision Plat 'A' on 2.66 Acres, approximately located at 450
- 35 South North County Boulevard in The Grove Zone Commercial Sales Subdistrict.

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ITEM 9 – <u>Public Hearing: Site Plan - Located at approximately 450 South North County Boulevard.</u>

39 (Sam White's Lane Neighborhood)

- Public Hearing to Consider the Request of Jared Osmond for a Commercial Site Plan for Three
 Retail Buildings, located at approximately 450 South North County Boulevard in The Grove Zone
- 42 Commercial Sales Subdistrict.

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Items 8 and 9 were heard together but voted on separately.

Planner Hawkins presented the Staff Report and stated that the applicant, Jared Osmond, requests approval of a three-lot preliminary subdivision plat called Pleasant Grove Retail Subdivision Plat 'A' and the site plan located at 450 South North County Boulevard in The Grove Zone-Commercial Sales Subdistrict. The plan calls for three retail buildings, adjacent to multi-family residences to the east. To the north, there is a commercial development which was presented to the Planning Commission earlier in the month. 450 South is not currently connected to North County Boulevard. Once connected, it will serve as the only access point into the proposed development unless access can be obtained through the commercial development to the north. Engineer Wilson reported that the State has already identified access points along North County Boulevard and will not allow access at any other access. Once connected, 450 South will be one of the access points. Staff suggested adding a condition that the 450 South dedications be finalized prior to being presented to the City Council.

The proposed subdivision plat contains three lots. There will be setbacks of 25 feet back of the curb required along North County Boulevard and 450 South once completed. There also is a residential building setback of 25 feet for the building to accommodate the nearby residences. Each of the three commercial retail and restaurant buildings in the site plan has a drive-thru lane that is 20 feet from the back of the curb. The required landscape buffer may be reduced by five feet by the City Council if the developer provides enhancements that exceed the City's standard requirements for architecture, amenities, and landscaping for the overall project. A fence will be installed along the west property line as that neighboring area is residential. Parking spaces currently total 132. The number of spaces required for retail or restaurant is based on square footage calculations. It was not yet known what tenants will occupy the space so staff used a general rule for retail parking of one parking space for every 200 square feet and determined a minimum number of 131 spaces. The actual required number had yet to be determined at the time the Business License was requested.

The landscaping plans show 24 trees, with five being evergreens. The applicant is aware that additional evergreen trees are needed and will provide them before final submission to the City Council. The plan has 20% designated open space, which meets or exceeds the requirements. Exterior materials to be used for all three buildings include natural stone veneer and stained and sealed cedar siding all of which meet the requirements. Some of the buildings have stucco as an accent. Planner Hawkins showed the three site designs and renderings of the buildings. He commented that the DRB had concerns about parking but approved the design. Staff recommended approval of the plat and site plan with the condition that a road dedication of 450 South is finalized before submission to the City Council. Road dedication issues were discussed.

The applicant, Jared Osmond, stated that the dedication of the road is complete on his side. He is working on the required details with doTERRA to the south and they will be dedicating their piece as well.

Chair Phillips 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.

Additional information was sought regarding the DRB's concerns about the project. It was reported that the concern pertained to stacking at the drive-thrus and restaurant parking between two buildings. Ultimately, the DRB was satisfied.

Mr. Osmond stated that stacking was a concern for them as well and they planned on doing double stacking and making other changes to resolve the issue. Commissioner Shirley expressed concern about speeders near the entry areas and asked about speed bumps. Engineer Wilson stated that the area has built-in features to remind drivers that they are in a parking lot.

There was no further public comment, and the hearing was again closed, and the commission was invited to either continue the discussion regarding this item, or he would entertain a motion if no further discussion was necessary.

A question was raised about the adjustments being made to the Site Plan and if the matter should be brought back to the Planning Commission. Director Cardenas stated that if the changes mentioned are considered minor, the matter can be addressed administratively. If the changes are significant and impact the design or flow of the project, they will be brought back to the Commission.

MOTION: Commissioner Martineau moved that the Planning Commission forward a positive recommendation of APPROVAL for the request of Jared Osmond for a three-lot Subdivision Plat called Pleasant Grove Retail Subdivision Plat 'A' on property located at approximately 450 South North County Boulevard on property zoned The Grove-Commercial Sales Subdistrict; and adopting the exhibits, conditions, and findings of the staff report, and as modified by the conditions below:

1. The road dedication for 450 South must be finalized before the subdivision plat can be heard by the City Council.

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

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

 MOTION: Commissioner Fugal moved that the Planning Commission forward a positive recommendation of APPROVAL for the request of Jared Osmond for a Commercial Site Plan for three commercial buildings on property located at approximately 450 South North County Boulevard on property zoned The Grove-Commercial Sales Subdistrict; 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 Shirley seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

- 1 ITEM 10 Public Hearing: Code Text Amendment Section 10-15-49: Water Efficiency
- 2 Standards.
- 3 (City Wide)
- 4 Public Hearing to Consider a Request from Pleasant Grove City to Create City Code Section 10-
- 5 15-49, Water Efficiency Standards. The City is proposing to Include New Landscaping
- 6 Requirements with the Intent to Conserve the Public's Water Resources by Establishing Water
- 7 Conservation Standards for the Installation of Grass and Turf as Outdoor Landscaping in all
- 8 Residential, Commercial, and Industrial Zones within the City. *Item is canceled*.

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10 ITEM 11 – Review and Approve the Minutes of the April 27, and May 11, 2023, Meetings.

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MOTION: Commissioner Fugal moved to APPROVE the minutes of April 27, and May 11, 2023, as published. Commissioner Martineau seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

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MOTION: Commissioner Fugal moved to ADJOURN the meeting at 8:01 p.m. Commissioner
Martineau seconded the motion. The Commissioners unanimously voted "Aye". The motion
carried.

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Kathy Kresser, City Recorder

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