

PLEASANT GROVE CITY

PLANNING COMMISSION MEETING MINUTES

**MARCH 14, 2024** 

**PRESENT:** Chair Karla Patten, Todd Fugal, Jeffrey Butler, Jim Martineau, Alicia Redding, Dustin Phillips, Wendy Shirley

- STAFF: Daniel Cardenas, Community Development Director; Jacob Hawkins, City Planner; Aaron Wilson, City Engineer, Christing, Gragory, Planning, and Zoning, Aggistant, Magali, Aggyada
- 11 Wilson, City Engineer; Christina Gregory, Planning and Zoning Assistant; Magali Acevedo,
- 12 Administrative Assistant

14 Chair Karla Patten called the meeting to order at 7:00 p.m.

REGULAR SESSION

**Commission Business:** 

1. Pledge of Allegiance and Opening Remarks: Commissioner Shirley led the Pledge of Allegiance. Commissioner Phillips offered the opening remarks.

2. Agenda Approval.

• MOTION: Commissioner Martineau moved to APPROVE the agenda, as written.
Commissioner Fugal seconded the motion. The Commissioners unanimously voted
"Yes". The motion carried.

3. Staff Reports:

• **MOTION:** Commissioner Phillips moved to APPROVE the Staff Reports. Commissioner Butler seconded the motion. The Commissioners unanimously voted "Yes". The motion carried.

4. Declaration of Conflicts and Abstentions from Commission Members.

There were no declarations or abstentions.

### ITEM 1 – Public Hearing: Rezone–Located at 642 South 780 East

#### 2 (Scratch Grave Neighborhood)

Public Hearing to consider a request from Michael & Kori Richins for a zone change from R1-9 (Single-Family Residential) Zone to R1-8 (Single-Family Residential) Zone, on approximately 1.86 acres of land located at 642 South 780 East. Additional addresses in this rezone include 770 and 758 East Orchard Drive, and 635, 649, and 679 South Spruce Avenue. (Legislative Item)

City Planner, Jacob Hawkins presented the Staff Report and stated that the rezone request is for Michael and Kori Richins to rezone the property from R-1-9 to R-1-8. The request includes several of their neighbors. The intent of the zone change was to grant flexibility in the event the Richins are able to design a subdivision that meets the zoning ordinances. An aerial map was displayed that shows a section to the south of the existing home that may have the potential to be subdivided. To help with this request and avoid spot zoning, the applicant reached out to their neighbors who all agreed to be part of the rezone request.

 The primary difference between the R-1-9 and R-1-8 zones is the lot size requirement changing from 9,000 to 8,000 square feet. The requirements for permitted uses, lot width, lot coverage, and setbacks are all identical between the two zones. The General Plan designates the area as being in the single-family medium-density area, which includes the R-1-8, R-1-9, and R-1-10 zones. Because it meets the requirements of the General Plan and because there is little difference between the R-1-8 and R-1-9 zones. It was noted that they have little impact on the surrounding properties. Staff recommended approval.

Planner Hawkins identified a separate parcel that belongs to the property to the east. The lines shown were determined by staff to be accurate in terms of property lines. He stated that they were taken from the Utah County Parcel Map. Reference was made to the property at 642 East 780 South. Planner Hawkins acknowledged that there are a few gaps and overlaps in one area of the property that will ultimately be handled in the event the applicants go through the subdivision process.

 The applicant, Kori Richins, reported that 25 years ago when they acquired the two building lots and the area to the south, they were under the impression that they would have another building lot next to them. In order to build there they had to acquire property from the Lempkes and the Laws and deeded .07 acres back to the City for the City street. She did not think that the .07-acre would have made much of a difference but they now have just under the required 8,000 square feet. The area north of Orchard Drive is zoned R-1-8 where 8,000 square feet per building lot is required. Under the current zoning, the Richins are required to have 9,000 square feet. Ms. Richins stated that they are only 200 square feet away from meeting the requirement. They were hoping to rezone the property. Their neighbors have been extremely generous and all signed waivers. The neighbor to that south was willing to sell them a strip of property that will allow them to meet the 8,000-square-foot requirement. They hope to add the small section and rezone from R-1-9 to R-1-8 and build a home there.

Chair Patten opened the public hearing.

Joseph West gave his address as 687 South Spruce. His understanding was that the applicants plan to divide their lot in half and construct another home on the corner. It was clarified that the current

request is for a rezone. No plans have yet been submitted to the City. The rezone, however, would allow for another home to be built in the new subdivision.

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There were no further public comments. The Chair invited the Commissioners to either continue the discussion regarding the item or bring a motion if no further discussion was necessary.

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MOTION: Commissioner Fugal moved that the Planning Commission forward a recommendation of APPROVAL to the City Council for the request of Michael and Kori Richins for the rezone of 1.86 acres of land located southeast of Orchard Drive and northeast of Spruce Avenue from the R-1-9 zone to the R-1-8 zone; and adopting the exhibits, conditions, and findings of the staff report. Commissioner Redding seconded the motion. The Commissioners unanimously voted "Yes". The motion carried.

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#### ITEM 2 - Public Hearing: Code Text Amendment - Section 10-19: Signs and Outdoor Advertising

(City Wide) 16

Public Hearing to consider a request from Slope Construction to amend City Code Section 10-19: 17 Signs and Outdoor Advertising. The applicant proposes to amend City Code Sections 10-19-7 and 18 19

10-19-13 to remove roof signs from the Prohibited Signs section and to permit roof signs in

commercial zones. (Legislative Item)

\*\*ITEM CONTINUED FROM 2/22\*\* 21

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Planner Hawkins presented the Staff Report and stated that last year, Pleasant Grove City adopted several changes to the Sign Code. Most of the changes pertained to freestanding signs and off-premise advertisements. Two Code Text Amendments were proposed to further amend the Sign Code. This one is for roof signs, which were primarily left alone throughout the previous round of changes to the Sign Code. The only mention of them was in the Prohibited Signs Section. A few months ago, while Seven Brothers was being constructed, the applicants applied for a roof-mounted sign. Staff began its review of the proposed sign, noted that roof signs were listed in the Prohibited Signs Section, and notified the applicant that the roof signs were not permitted as the code was currently written. The applicant then submitted their proposed Code Text Amendment. As staff reviewed the proposed code, they identified cases where there may be an opportunity for roof-mounted signs to be permitted with certain restrictions.

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Planner Hawkins reported that there are several types of roof signs and presented a few examples. Some are intended for advertisement where a wall sign is less feasible. Other roof-mounted signs are a statement piece. Looking at some of the examples and to remain in harmony with the City's current Sign Code, Staff looks to the Grove Zone for context on what is permitted. Wall signs in the Grove Zone are intended to have channel lettering or raised molded letters. The size of the signage on each facade is either 10% of the front or 5% of the sides or rear. Staff proposed that the roof signs be removed from the Prohibited Signs Section of the Code and instead placed in the Miscellaneous Sign Section with the premise that roof-mounted signs not extend above the peak of the roof, the sign be limited to channel letters or raised molded letters, and that the size of each sign follows the same requirements as a wall sign.

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Planner Hawkins confirmed that the current sign conforms to the proposed amendment. He showed an example of channel lettering with each being individually cut out. Raised, molded letters are similar but have a flat background. There is usually more thought involved in channel lettering or raised, molded letters. They are also nicer to look at, which is one of the reasons they are in the Grove Zone. It was noted that the Coca-Cola sign would still be channel lettering but it would not be permitted as it is above the roof line. Planner Hawkins explained that in cases like the Coca-Cola sign, it would have been on a flat roof and similar to a parapet wall.

Chair Patten opened the public hearing. There were no public comments. The Chair invited the Commissioners to either continue the discussion regarding the item or bring a motion if no further discussion was necessary.

**MOTION:** Commissioner Phillips moved that the Planning Commission forward a recommendation of APPROVAL to the City Council for the request of Slope Construction for a Code Text Amendment to City Code Section 10-19: Signs and Outdoor Advertising, to remove roof signs from Section 10-19-13: Prohibited Signs, and to permit roof signs in 10-19-7: Miscellaneous Signs; and adopting the exhibits, conditions, and findings of the staff report. Commissioner Fugal seconded the motion. The Commissioners unanimously voted "Yes". The motion carried.

## ITEM 3 - Public Hearing: Code Text Amendment - Section 10-19: Signs and Outdoor Advertising

20 (City Wide)

- Public Hearing to consider a request from YESCO, LLC to amend City Code Section 10-19: Signs and Outdoor Advertising. The applicant proposes to amend City Code Section 10-19-9: Freestanding Signs to increase the permitted sign height and square footage of pole signs located on properties adjacent to I-15. (Legislative Item)
- 24 adjacent to 1-15. (Legislative Item)
  25 \*\*ITEM CONTINUED FROM 2/22\*

Planner Hawkins presented the Staff Report and showed where the Sign Code used to be, where it is now, and what the applicant is proposing. The previous section of the code allowed free-standing signs within 150 feet of I-15, which were allowed to be 1,200 square feet in area, and 85 feet tall. There was also a condition that free-standing signs have a 10-foot clearance between the bottom of the sign and the ground. There were a few free-standing signs along the freeway, which were identified and would have been within the context of that section of Code. The sign ordinances were updated to reflect necessary changes to free-standing signs and off-premise advertising. Signs such as the Valley Grove sign were recategorized to be billboard signs. It was noted that billboard signs permit off-premise advertising and still maintain the 1,200-square-foot size and the 85-foot height requirement. As part of the new Sign Code, billboard signs were intended to be the primary large-scale type of sign along the freeway as there is a certain distance requirement between other billboard signs and pole or pylon signs. Pole and pylon signs would still be permitted but only with the same requirements as in other areas of the city.

 The reason for the change was because Pleasant Grove City has only one mile of frontage along I-15. As properties along the freeway are developed, staff wants to ensure that every existing and future business with frontage to the freeway has adequate signage while still maintaining a clean and welcoming appearance along the city's entrance with a few large-scale signs spread out along the corridor. The height, size, and density requirements of billboard, pole, and pylon signs were established in the newly updated section of code. The applicant has proposed that along the freeway, pole, and pylon signs be allowed to be larger in height and area so long as certain distance

requirements are met between each sign to maintain the city's vision of advertisement along the freeway corridor. Staff recommended approval of the proposed Code Text Amendment that pole and

pylon signs within a 150-foot buffer from the I-15 right-of-way have a total area of 650 square feet.

This is approximately half of billboards with a maximum height of 70 feet so long as a minimum separation of 700 feet is maintained between other pole and pylon signs.

Planner Hawkins explained that the existing BMW sign is about 650 feet. Increasing it to 700 would only push it over 60 to 70 feet. The distance between the BMW and the Valley Grove sign is not as important because the Valley Grove sign is a billboard and the separation between billboard signs and pole/pylon signs is 150 feet, compared to pole and pylon signs being 300 feet from each other. The idea was that in this area and as future development comes in, they want to maintain a clean look and appearance. For that reason, staff recommended a 700-foot separation and allowing pole and pylon signs to be slightly larger.

The applicant, Ben Olson, stated that originally they built it to the Code that existed. He stated that when driving by the BMW dealership the sign appears to be very small. They would like additional square footage for the freeway-oriented area.

Chair Patten opened the public hearing. There were no public comments. The Chair invited the Commissioners to either continue the discussion regarding the item or bring a motion if no further discussion was necessary.

Commissioner Shirley asked about the separation between the pole/pylon and billboard signs. She wanted to be certain that they are allowing signs that are similar to other jurisdictions. Planner Hawkins stated that staff feels that what is proposed is a good compromise. Between billboard signs, they require 1,500 feet of separation. Because pole and pylon signs are smaller, half of that would suffice. In the future, if there is enough demand with properties close together, they could potentially revisit the matter. The goal remains the same to limit things to the extent possible and encourage shared signage along the freeway. He noted that off-premise, pylon signs were encouraged. He acknowledged that finding a balance is difficult.

Commissioner Butler asked if this Code Text Amendment applies city wide. Planner Hawkins explained that the ordinance will be city wide because it affects the text itself. Reference to it applying city wide only pertains to the Code Text Amendment. It was noted that of the city's one-mile stretch of I-15, there are only three property owners.

**MOTION:** Commissioner Redding moved the Planning Commission recommend that the City Council APPROVE the request of YESCO LLC for a Code Text Amendment to City Code Section 10-19: Signs and Outdoor Advertising, to increase the permitted sign height and the square footage of pole and pylon signs located on properties adjacent to I-15; and adopting the exhibits, conditions, and findings of the staff report. Commissioner Martineau and Commissioner Butler tied to second the motion. The Commissioners unanimously voted "Yes". The motion carried.

ITEM 4 - Public Hearing: Code Text Amendment - Section 10-14-28: Valley Grove Mixed-

45 <u>Use Overlay</u>

46 (City Wide)

1 Public Hearing to consider a request from St. John Properties to amend City Code Section 10-14-28-

6: Setbacks and Street Landscaping Buffers in the Valley Grove Mixed-Use Overlay. The applicant

proposes to adjust the setback requirements for buildings along Pleasant Grove Boulevard.

4 (Legislative Item)

\*\*ITEM CONTINUED FROM 2/22\*\*

Planner Hawkins presented the Staff Report and stated that the Valley Grove Mixed-Use Overlay was established last year. That section of code states that setbacks from arterial roads, Utah Department of Transportation ("UDOT") rights-of-way shall be 20 feet measured from the foundation to the right-of-way excluding the area occupied by a gutter, curb, park strip, and sidewalk. Setbacks from local roads are 10 feet from the foundation to the right-of-way. In typical circumstances, Staff feels that a larger setback requirement is necessary to maintain visibility and maintain a certain aesthetic. In this case, Pleasant Grove Boulevard has an incline and the boundary line is already set back. On one side there is about a 35-foot setback between the edge of the road and the right-of-way line. On the opposite side, there is a distance of about 115 feet between the property line and the edge of the road.

Planner Hawkins explained that a 20-foot buffer from the right-of-way line may not be necessary because of the existing distance in this location. Staff supported the applicant's request to reduce the setback buffer just along Pleasant Grove Boulevard from 20 feet to 10 feet.

 A question was raised as to how the new interchange and frontage road will impact the corner since it will change how close the roads are to the property. Planner Hawkins did not expect the impact to be significant. Currently, the requirement is 20 feet from the yellow line or where they will place the sidewalk, curb, and gutter. He clarified that there is a variation between the right-of-way where there is curb, gutter, and sidewalk. The intent is to place the setback from whichever is more restrictive. Areas that remain to be developed were identified.

A question was raised regarding UDOT's plans for curb, gutter, and sidewalk. Planner Hawkins stated that it does not have sidewalk currently but he saw plans that show that curb, gutter, and sidewalk will be installed and there will be one sidewalk that follows next to the street. There will be a second sidewalk at the bottom of the hill that cuts across with an underground tunnel.

Marty Beaumont from St. John Properties stated that they hope to include two retail buildings against Pleasant Grove Boulevard. They recognize that the zone has specific design requirements with more freedom than just being 20 feet off of the property line. He stated that they were only talking about this section where there are sufficient setbacks. Last year, UDOT completed an Environmental Assessment for the area including reconstruction to widen the frontage road and a new interchange at Proctor Lane at 2000 West in Lindon. With that, a slight widening was shown in the Environmental Assessment of about eight feet of roadway with an adjoining sidewalk. There was an "unfunded" pedestrian underpass concept, which would take a sidewalk along the UDOT right-of-way to catch grade and then cross under. An underground crossing beneath Pleasant Grove Boulevard was something they heard from residents was desirable. Mr. Beaumont stated that there is adequate grade there to put in a tunnel. He supported that concept. It was noted that the sidewalks are all shown within the UDOT right-of-way and will not encroach onto the property owned by St. John Properties.

 Chair Patten opened the public hearing. There were no public comments. The Chair invited the Commissioners to either continue the discussion regarding the item or bring a motion if no further discussion was necessary.

**MOTION:** Commissioner Martineau moved the Planning Commission recommend that the City Council APPROVE the request of St. John Properties for a Code Text Amendment to City Code Section 10-14-28: Valley Grove Mixed Use Overlay, to decrease the required setbacks from arterial roads; and adopting the exhibits, conditions, and findings of the staff report. Commissioner Phillips seconded the motion. The Commissioners unanimously voted "Yes". The motion carried.

# <u>ITEM 5 – Public Hearing: Conditional Use Permit – Located at 1130 West State Street (Mud Hole Neighborhood)</u>

Public Hearing to consider a request from Lance Ford for a Conditional Use Permit for Use #6376—General Warehousing and Storage, for a flex space building, located on the southern 3.17 acres of 1130 West State Street in the General Commercial (C-G) Zone. (Legislative Item)

Planner Hawkins presented the Staff Report and stated that for some time, the applicant and his team have been working with staff on concept plans for the property. In October 2021, an application for a rezone was submitted to change the zoning of the southern 3.17 acres located at 1130 West State Street from the Rural Residential (R-R) Zone to General Commercial (C-G) Zone. The proposed zone change was approved in December 2021, however, no official site plan or subdivision plat had ever been submitted for review. The applicant is proposing to construct flex space units on the property and intends to adjust their plans based on the recommendations of the Planning Commission before submitting an official site plan. The matter is solely for the potential use of land. The applicant's request would fall under Use #6376-General Warehousing and Storage as each flex space unit typically has a section dedicated to storage or warehousing and a roll-up door. The storage and warehousing portion of each unit is not the sole use of flex space as there is typically an office or retail portion of the building as well that will differ from tenant to tenant.

Planner Hawkins explained that the General Commercial (C-G) Zone is intended to contain a mixture of compatible uses including a wide range of retail stores, shops, offices, and services that are ideal when adjacent to State Street, which is a major corridor through Pleasant Grove. When commercial uses border residential zones, staff refers to Section 10-15-29: Transitional Development Standards for Non-Residential Uses Bordering Residential Zones. This section imposes additional restrictions on development next to residential areas to smooth out the transition from commercial to residential uses by limiting the maximum height and adjusting the minimum setbacks for commercial buildings, increasing landscaping buffers, prohibiting certain uses that involve open storage or that are offensive, and by requiring the screening of some equipment or uses. These requirements are imperative to fostering a healthy transition between commercial and residential uses.

Between the C-G Zone and Section 10-15-29, no requirements are mandated for lot coverage or building design or materials. A more pedestrian-friendly atmosphere that discourages commercial traffic along 500 North may help distinguish the residential neighborhood from the commercial area. While the C-G Zone does not require any particular building design, the Grove Zone, located directly across State Street, is considered to be a design district and has several design requirements for commercial development. When considering potential conditions for the requested Conditional Use Permit, one option may be that this location meets the same or similar design elements of The Grove

Zone in addition to meeting all requirements from Section 10-15-29, and must have site plan approval by the Design Review Board. Staff recommended approval of the requested subject to the conditions set forth in the Staff Report.

Commissioner Butler asked about 500 North and conditions to address traffic. Planner Hawkins stated that because there is an established neighborhood nearby, there could potentially be traffic calming measures taken where 500 North ends. That could also help break up some commercial traffic. Traffic circulation issues were discussed. Commissioner Butler asked if any design elements across the street are associated with Water Gardens Theater. Planner Hawkins identified properties that are in the same zone. He noted that the theater and Tabitha's Way are in the Neighborhood Commercial (C-N) Zone with The Grove Zone across the street.

Commissioner Shirley asked about the plans for Garden Drive. Planner Hawkins stated that the intent is for Garden Drive to go through and out so that 500 North and Garden Drive have full connectivity to a collector street. City Engineer, Aaron Wilson added that the road itself in both directions is not necessarily a condition that staff would require but they would have to have at least one connection. The code specifies a certain number of trips and if they exceed that number they would have to have multiple connections. He did not expect that to be needed based on their use. He explained that they would only have to connect Garden Drive to 1300 West or the existing Garden Drive to the east.

The applicant, Lance Ford stated that he has worked to create the road connectivity mentioned. They want to create a micro flex warehouse space, which is a product that allows people to grow their drop ship company or Etsy store out of their garage.

Commissioner Butler expressed concern about manufacturing uses if a Conditional Use Permit were to be approved to include some of those things. Mr. Ford stated that the proposed product is not meant for manufacturing and would require a Business License to be obtained. Tenants would have to go through an approval process and it would not be allowed. Planner Hawkins stated that uses that could be approved are those that exist in the General Commercial (C-G) Zone.

Chair Patten opened the public hearing. There were no public comments. The Chair invited the Commissioners to either continue the discussion regarding the item or bring a motion if no further discussion was necessary.

Commissioner Fugal asked if any other areas of the City are zoned C-G. Planner Hawkins identified other areas that have the C-G zoning designation. He explained that there is a large area on either side of State Street and the Grove Business Park, however, the proposed use is a conditional use in that zone. The list of uses was reviewed and compatibility in the area.

Commissioner Shirley preferred to finish out Garden Drive to the property. She did not like the idea of traffic going through the residential area. Concern was expressed for trucks going through a residential neighborhood as there is not a collector street nearby. The thought was if Garden Drive goes through, 500 North would be more commonly used. Mr. Wilson spoke extensively with the applicant and because the use is not compatible with residential, they would be required to connect to 1300 West with Garden Drive or to the existing Garden Drive that goes in front of the theater. They would have to do one or the other and would not be allowed to only have access at 500 North.

1 2 3		ested that there be a stipulation that the applicant inform their tenants that they are not se it as their primary access. Enforceability issues were discussed.	
4 5 6 7 8 9	Mr. Ford commented on the product type and the concern about larger trucks. He commented that because it is a micro flex space, it deviates from manufacturing so larger trucks should not be coming to the site. He has been in contact with the owners of the rural parcel to the west and confirmed that it will not remain Rural Residential (R-R) long term. He agreed with the Commission about connectivity and limiting traffic through the neighborhood.		
10 11 12 13 14	Lance Ford 1130 West S	<b>MOTION:</b> Commissioner Shirley moved that the Planning Commission APPROVE the request of Lance Ford to permit Use 6376—General Warehousing and Storage, on the southern 3.17 acres of 1130 West State Street in the General Commercial Zone; and adopting the exhibits, conditions, and findings of the staff report, and as modified by the conditions below:	
15	1.	All Final Planning, Engineering, and Fire Department requirements are met.	
16 17 18 19	2.	The proposal will be subject to a site plan review and approval by Staff and by the Design Review Board.	
20 21 22 23	3.	In addition to the requirements outlined in Section 10-15-29, the design of the building will be subject to the requirements found in The Grove Zone; specifically, the requirements found in Section 10-14-20: Urban Design Standards.	
24 25	Commissioner Fugal seconded the motion. The Commissioners unanimously voted "Yes". The motion carried.		
26 27 28 29	ITEM 6 – Review and Approve the Minutes from the February 22, 2024, Meeting.  MOTION: Commissioner Redding moved to APPROVE the minutes from February 22, 2024.		
30 31 32	Commissioner Butler seconded the motion. The Commissioners unanimously voted "Yes". The motion carried.		
33 34 35	<b>MOTION:</b> Commissioner Butler moved to ADJOURN. The Commissioners unanimously voted "Yes". The motion carried.		
36 37 38 39	The Planning Commission Meeting adjourned at 8:06 p.m.		
40 41	Planning Commission Chair		
42 43 44	Christina Gregory, Planning and Zoning Assistant		
45 46 47	<b>3/28/2024</b> Date Approved		

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