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PLEASANT GROVE CITY
PLANNING COMMISSION MEETING MINUTES
January 25, 2018

PRESENT: Chair Peter Steele, Commissioners Lisa Coombs, John Hawkins, Jennifer Baptista, Matt Nydegger, and Dustin Phillips

EXCUSED: Commissioners Sam Sanderson and Garth Lovell

ABSENT: Drew Armstrong

STAFF: Community Development Director Daniel Cardenas, City Planner Julie Henry, and Planning Tech Barbara Johnson

EXCUSED: Staff Engineer Mario Gonzalez

Chair Steele opened the meeting at 7:00 p.m.

Commission Business:

1. Pledge of Allegiance: Commissioner Nydegger led the Pledge of Allegiance.

2. Opening Remarks: Commissioner Hawkins gave the opening remarks.

3. Agenda Approval:

- **MOTION:** Commissioner Baptista moved to APPROVE the written agenda as part of public record. Commissioner Coombs seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

4. Staff Reports:

- **MOTION:** Commissioner Baptista moved to APPROVE the Staff Reports as part of the public record. Commissioner Coombs seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

5. Declaration of conflicts and abstentions from Commission Members: There were no conflicts or abstentions.

1 **ITEM 1 – Public Hearing to Consider the Request of John Colaizzi for a Conditional Use Permit**
2 **to Construct Two Block Retaining Walls, 10 feet in Height, on Property Located at 437 North**
3 **1380 East in the R1-12 (Single Family Residential) Zone. GROVE CREEK**
4 **NEIGHBORHOOD.**

5
6 *NOTE: Items 1 and 2 were discussed simultaneously.*
7

8 City Planner, Julie Henry, presented the staff reports for Items 1 and 2 and explained that the
9 property owner is requesting to install two 10-foot retaining walls on properties at 437 North and
10 489 North 1380 East. Retaining walls are required because of the grade difference between the
11 buildable lot area and the road behind the home. Ms. Henry presented a graphic showing the
12 height difference. The ordinance requires that fencing over six feet tall, up to 10 feet, requires a
13 Conditional Use Permit from the Planning Commission. She confirmed that staff did consider the
14 retaining walls as “fences”, and the Code prohibits fences over 10 feet. This was the reason for
15 two 10-foot retaining walls rather than one 20-foot retaining wall.
16

17 Commissioner Nydegger was concerned that the retaining wall will be constructed directly on top
18 of a storm drain pipe. Ms. Henry stated that there is sidewalk, curb, and gutter along that street
19 next to the retaining wall, even though it wasn’t clearly shown on the graphic.
20

21 The applicant, Steve Phelon, reported that he purchased the southern lot from Mr. Colaizzi. They
22 want to construct one 20-foot wall in this location to provide a few more feet of backyard, but staff
23 recommended they separate and stagger the walls. He reported that there is an 18-foot retaining
24 wall just down the street at the water tank.
25

26 *NOTE: Commission Phillips joined the meeting at 7:08 p.m.*
27

28 Chair Steele opened the public hearing.
29

30 Dustin Frampton gave his address as 378 North 1350 East and had no concerns about the retaining
31 walls. He did, however, want to be sure that the developers make sure to have proper drainage on
32 the two properties. Both of the subject properties were higher in elevation than Mr. Frampton’s
33 property, and he was concerned about potential water shed or landslide issues.
34

35 Mr. Phelon assured Mr. Frampton that they will have professional engineers design the retaining
36 walls and address any drainage issues on the properties. He noted that if he were allowed to build
37 one 20-foot wall, he would not have to put the wall on top of the drainage pipe.
38

39 The applicant, John Colaizzi, reiterated concerns about losing the backyard because of the two
40 retaining walls.
41

42 There were no further comments. Chair Steele closed the public hearing.
43

44 Chair Steele asked staff how they determined the retaining walls to be “fences”.
45

1 Community Development Director, Daniel Cardenas, read the Code language pertaining to
2 fencing, as follows:

3
4 The term “fence” shall include any permanent and manmade tangible barrier,
5 latticework, or wall, with the purpose of, or having the effect of, preventing passage
6 or view across the fence line.
7

8 Mr. Cardenas understood the limitations of the lots but stated that the walls do not fit the Code
9 definition of a fence.

10
11 **MOTION:** Commissioner Baptista moved that the Planning Commission APPROVE the request
12 of John Colaizzi for a Conditional Use Permit to allow two retaining walls, each 10 feet in height,
13 on property located at 437 North 1380 East in the R1-12 (Single-Family Residential) Zone; and
14 adopt the exhibits, conditions, and findings contained in the staff report and as modified by the
15 conditions below:

- 16
17 1. All Final Planning, Engineering, and Fire Department requirements are met.

18
19 Commissioner Phillips seconded the motion. The Commissioners unanimously voted “Aye”. The
20 motion carried.
21

22 **ITEM 2 –** Public Hearing to Consider the Request of John Colaizzi for a Conditional Use Permit
23 to Construct Two Block Retaining Walls, 10 feet in Height, on Property Located at 489 North
24 1380 East in the R1-12 (Single Family Residential) Zone. **GROVE CREEK**
25 **NEIGHBORHOOD.**

26
27 *NOTE: Items 1 and 2 were discussed simultaneously.*
28

29 **MOTION:** Commissioner Baptista moved that the Planning Commission to APPROVE the
30 request of John Colaizzi for a Conditional Use Permit to allow two retaining walls, each 10 feet in
31 height, on property located at 489 North 1380 East in the R1-12 (Single-Family Residential) Zone;
32 and adopt the exhibits, conditions, and findings contained in the staff report and as modified by
33 the condition below:

- 34
35 1. All Final Planning, Engineering, and Fire Department requirements are met.

36
37 Commissioner Nydegger seconded the motion. The Commissioners unanimously voted “Aye”.
38 The motion carried.
39

40 **ITEM 3 –** Public Hearing to Consider a Request of KBP Land, LLC for a Conditional Use Permit
41 for a 10-foot Fence that is Part of the Evermore Park Development, on Property Located at 392 S.
42 Evermore Lane in The Grove Zone – Commercial Sales Sub-District. **SAM WHITE’S LANE**
43 **NEIGHBORHOOD.**
44

45 Ms. Henry presented the staff report regarding a conditional use permit request to install a 10-foot
46 fence as part of the Evermore Park development. She presented the site plan and identified the

1 location of the proposed fence. The applicant will be installing a 10-foot masonry fence to separate
2 the parking area from the park. Staff recommended approval of the application.

3
4 The applicant, John Underwood with Millcreek Builders, commented that the fence will be stained
5 to blend in with the landscape and the rest of the development. There will also be many trees and
6 plants installed along the fence.

7
8 Chair Steele opened the public hearing. There were no public comments. Chair Steele closed the
9 public hearing.

10
11 **MOTION:** Commissioner Baptista moved that the Planning Commission APPROVE the request
12 of KBP Land, LLC for a Conditional Use Permit to allow a fence, 10 feet in height, on property
13 located at 392 S. Evermore Lane in The Grove Zone – Commercial Sales Sub-District; and adopt
14 the exhibits, conditions, and findings contained in the staff report, and as modified by the condition
15 below:

- 16
17 1. All Final Planning, Engineering, and Fire Department requirements are met.

18
19 Commissioner Hawkins seconded the motion. The Commissioners unanimously voted “Aye”.
20 The motion carried.

21
22 **ITEM 4 – Public Hearing to Consider a Request of Tamara Oborn to Amend City Code Section**
23 **10-21-5: Minor Home Occupations, in Order to Allow Microblading as a Minor Home Occupation.**
24 **CITY WIDE.**

25
26 Mr. Cardenas presented the staff report regarding a proposed amendment to the Minor Home
27 Occupation section of the City Code. The applicant wishes to include Microblading as a permitted
28 use. Mr. Cardenas reminded the Planning Commission that the use would be permitted in all
29 residential zones, if approved. He gave a brief history of home occupations in Pleasant Grove and
30 described the difference between a major and minor home occupation. The current Code allows
31 for beauty shops as a minor home occupation, but upon researching the Microblading process,
32 staff determined that it was a different use. Mr. Cardenas explained that microblading produces a
33 small amount of what the Health Department considers “medical waste”. For this reason the use
34 would have different Health Department requirements than a salon. Mr. Cardenas presented the
35 proposed language and staff recommended approval of the amendment.

36
37 The applicant, Tamera Oborn, gave her address as 1184 North 850 East. She explained that the
38 microblading process is relatively new. She explained that the difference between microblading
39 and tattooing is that tattooing requires the use of machinery that needs to be completely sterilized.
40 Microblading is done with a single, disposable blade. The blades are considered “medial waste”.

41
42 Chair Steele opened the public hearing. There were no public comments. Chair Steele closed the
43 public hearing.

44
45 **MOTION:** Commissioner Coombs moved that the Planning Commission recommend that the
46 City Council APPROVE the request of Tamara Oborn for the proposed amendments to City Code

1 Section 10-21-5: Minor Home Occupations; and the exhibits, conditions, and findings contained
2 in the staff report, and as modified by the condition below:
3

- 4 1. All Final Planning, Engineering, and Fire Department requirements are met.
5

6 Commissioner Baptista seconded the motion. The Commissioners unanimously voted “Aye”. The
7 motion carried.
8

9 **ITEM 5 – Public Hearing to Consider the Request of David Runnells to Create an Overlay Zone**
10 **that Provides for Flexibility in Creating Master-Planned Communities that Incorporate**
11 **Commercial and Mixed-Use Buildings as Well as a Variety of Housing Types. CITY WIDE**
12 ****Continued from the January 11, 2017 Planning Commission Meeting.***
13

14 Mr. Cardenas presented the staff report regarding the potential creation of a new overlay, which
15 would be called the Mixed-Use Overlay Zone. The applicant intends to apply the new overlay to
16 a specific property to facilitate a mixed-use project. Mr. Cardenas explained that the applicant’s
17 property, which is roughly 21.6 acres in size, was split between the Mixed Housing Sub-District
18 and the Commercial Sub-District of The Grove Zone. The Mixed Housing Sub-District currently
19 allows for a housing density of 12 units per acre, while the proposed overlay would allow for 16
20 units per acre. Mr. Cardenas said that the applicant would apply the overlay to his entire property
21 so that he could do a greater mix of residential housing types, as well as retail and office uses,
22 throughout the property. He presented the applicant’s concept plan for the property and stated that
23 the final unit count will be close to 260 units. The plan only contains 20% retail, which staff felt
24 was too low. He noted that the plan showed a section of live-work units, however, Mr. Cardenas
25 had not included those in the retail percentage count.
26

27 The applicant, Larry Myler, gave his address as 10771 South Ripley Bay in South Jordan. He
28 thanked staff for working with him on his application. Mr. Myler explained that the retail
29 component of the development would be along State Street, which would be the most desirable
30 location for retail tenants. He spoke of their unsuccessful attempts to bring in an anchor tenant,
31 such as Smiths. In response to that and some of the comments made during their previous meeting
32 with the Planning Commission, they decided to propose an overlay where the entire development
33 could be mixed. Mr. Myler briefly addressed the live-work units and transitioning densities back
34 from State Street. He noted that there will be few rental units in the development because they felt
35 that the community could better benefit from owner-occupied units.
36

37 Chair Steele opened the public hearing.
38

39 Casey Larson, who resides at 1003 West 1000 North, asked about the current acreage for each
40 Sub-District on the property as it exists. Mr. Cardenas stated that 10 acres will be in the Mixed
41 Housing Sub-District, and 11.6 acres in the Commercial Sales Sub-District.
42

43 There were no further public comments. Chair Steele closed the public hearing.
44

1 Commissioner Hawkins commented that the plans presented were well done, but the purpose of
2 the discussion was to determine if the proposed language for the overlay was appropriate. It was
3 suggested that the Planning Commission's discussion focus on density.
4

5 The Planning Commissioners expressed concern with the success of live-work units. There
6 seemed to be many empty live-work units in the City already. Chair Steele commented that he
7 lives near live-work units, and those that are occupied are usually utilized as salons or small offices.
8 Commissioner Phillips suggested that offices would be better in that location.
9

10 Commissioner Baptista stated that she liked both of the concept plans that the applicants had
11 presented so far, but she also had a concern with the live-work units. Mr. Myler stated that they
12 were open to changing those units.
13

14 Chair Steele expressed concern with the low percentage of landscaping required in the ordinance
15 language. The Mixed-Housing Sub-District requires 30%, while the proposal only requires 10%.
16 He felt that more landscaping would make for a better long-term mixed-use community.
17

18 There was brief discussion regarding open space. The Planning Commission instructed staff to
19 increase the landscaping percentage and consider requiring amenities in the ordinance. The
20 decision was made to require 30% landscaping for the residential portion, and 10% for the retail
21 portion.
22

23 **MOTION:** Commissioner Baptista moved that the Planning Commission CONTINUE the
24 request of David Runnells for the proposed amendments to City Code Chapter 14: The Grove
25 Zoning District, until the February 8, 2018 Planning Commission meeting, based on the following
26 finding:
27

- 28 1. To allow staff time to rewrite the language to reflect the changes requested by the Planning
29 Commission.
30

31 The motion died for lack of a second.
32

33 The applicants asked if the Planning Commission would be willing to make a positive
34 recommendation to the City Council with specific changes to the conditions. This would allow
35 the application to continue to move forward. Commissioner Baptista was not comfortable passing
36 on a positive recommendation to the City Council when she had not seen the final draft of the
37 ordinance. Other Commissioners were more open to the idea and asked staff if they would have
38 time to make corrections before presenting to the City Council. Staff indicated that they would
39 have enough time.
40

41 Mr. Myler reviewed the changes desired by the Planning Commission, including the removal of
42 the live-work units. He commented that they could make them into offices or could consider a
43 hotel option. With regard to open space, Mr. Myler stated that they were willing to increase the
44 landscaping percentage. That adjustment would remove 32 of the 260 units and decrease the
45 density slightly.
46

1 After continued discussion, the Planning Commission determined that it would be best to continue
2 the item to allow staff time to make adjustments to Section G and I, as discussed.

3
4 **MOTION:** Commissioner Baptista moved that the Planning Commission CONTINUE the
5 request of David Runnells for the proposed amendments to City Code Chapter 14: The Grove
6 Zoning District, until the February 8, 2018 Planning Commission meeting, based on the following
7 finding:

- 8
9 1. To allow staff time to rewrite the language to reflect the changes requested by the Planning
10 Commission.

11
12 Commissioner Coombs seconded the motion. The Commissioners unanimously voted “Aye”. The
13 motion carried.

14
15 **ITEM 6** – Discussion of a Request of FFG Development, LLC for Approval of a Proposed Site
16 Plan for a New Restaurant named R&R BBQ, on Property Located at 1977 W. Pleasant Grove
17 Boulevard in The Grove Zone – Interchange Sub-District. **SAM WHITE’S LANE**
18 **NEIGHBORHOOD.**

19
20 Mr. Cardenas reported that the above item was only for discussion. No motion or public hearing
21 was required at this time. He presented an aerial map and identified the location of the proposed
22 restaurant. The plat had already been approved and they expected to meet with the Design Review
23 Board the following week. Mr. Cardenas expressed hope that this would be the first of many
24 restaurants to come into the area.

25
26 **ITEM 7** – Review and Approval of the Minutes from the January 11, 2018 Planning Commission
27 Meetings.

28
29 **MOTION:** Commissioner Baptista moved that the Planning Commission APPROVE the minutes
30 from the January 11, 2018 Planning Commission meeting. Commissioner Coombs seconded the
31 motion. The Commissioners unanimously voted “Aye”. The motion carried.

32
33 **MOTION:** Commissioner Baptista moved to adjourn. Commissioner Coombs seconded the
34 motion. The Commissioners unanimously voted “Aye”. The motion carried.

35
36 The meeting adjourned at 8:32 p.m.

37
38
39 _____
40 Planning Commission Chair

41
42 _____
43 Barbara Johnson, Planning Tech

44
45 _____
46 Date Approved