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PLEASANT GROVE CITY
PLANNING COMMISSION MEETING MINUTES
February 22, 2018

PRESENT: Chair Peter Steele, Commissioners Lisa Coombs, Sam Sanderson, Matt Nydegger, Jon Hawkins

EXCUSED: Commissioner Tamara Oborn

ABSENT: Commissioners Bobbi Jo Blake and Dustin Phillips

STAFF: Community Development Director Daniel Cardenas, City Planner Julie Henry, Staff Engineer Mario Gonzalez, Planning Tech Barbara Johnson

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

Commission Business:

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

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

3. Agenda Approval:

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

4. Staff Reports:

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

5. Declaration of conflicts and abstentions from Commission Members: There were none.

1 **ITEM 1** – Public Hearing to Consider the Request of Ivory Development, LLC for a Two-Lot
2 Preliminary Subdivision Plat called Avalon Hills Plat B on Property Located at Approximately
3 951 East 830 South in the R1-9 (Single Family Residential) Zone. **SCRATCH GRAVEL**
4 **NEIGHBORHOOD.**

5
6 City Planner, Julie Henry, presented the staff report regarding the request for a two-lot preliminary
7 subdivision. The subject property is 0.67 acres in size with an existing home to the south. The
8 property was oversized for the current zoning, but the owner was unable to subdivide because the
9 second lot would not have access. Currently, the property to the north was being developed and a
10 new road would run along the back of the property and accommodate access to the lot. Ms. Henry
11 confirmed that the existing home will still meet all setback and size requirements. Staff
12 recommended approval.

13
14 The applicant, Peter Gamvroulas, from Ivory Development, described the history of the application
15 and was available to answer questions.

16
17 Chair Steele opened the public hearing.

18
19 Leon Deitlaf gave his address as 941 East 830 South and identified himself as the property owner
20 to the west. He had concerns about the grade difference between his home and the new
21 development. He presented photographs of his property and explained that the road in the new
22 subdivision was 3 ½ feet higher than his property. As a result, Ivory installed a rock retaining wall
23 at the back of his property. Mr. Deitlaf addressed issues he has had with Ivory and how he fought
24 against the wall. He asked if the developer would be installing another retaining wall between his
25 property and the subject property. His other concern was whether he would be required to install
26 a sidewalk at the back of his property to connect the sidewalks in the new subdivision.

27
28 Chair Steele explained that Mr. Deitlaf would only be required to install the sidewalk if he
29 improved his property or home over a certain threshold.

30
31 Mr. Gamvroulas was not aware of Mr. Deitlaf’s issues previously, and unfortunately, he wasn’t
32 able to answer his question. He assured Mr. Deitlaf that they would make sure the drainage plan
33 keeps runoff off of his property. They would also put in a retaining wall or something similar, if
34 necessary.

35
36 Chair Steele recommended that Mr. Deitlaf and the developer exchange contact information and
37 resolve the issue together.

38
39 Brenda Pearson, who resides at 776 South 980 East, was also concerned about dirt runoff onto her
40 property, which is lower in elevation than the proposed development.

41
42 Staff Engineer, Mario Gonzalez, explained that the Engineering Department reviewed the
43 preliminary plan for the proposed subdivision and were unaware of the grade differential.
44 Typically, in hillside neighborhoods issues of this type are resolved between neighbors. The City
45 does not dictate what action needs to be taken.

1 Community Development Director, Daniel Cardenas, presented ordinance language that specifies
2 that if the grade difference is greater than three feet, the new development is responsible for
3 providing suitable screening materials. The first step to take in resolving the issue was to figure
4 out the slope measurements. He assured the Planning Commission that the investigation would be
5 addressed in the engineering review of the site plan.
6

7 **MOTION:** Commissioner Coombs moved that the Planning Commission recommend
8 APPROVAL to the Public Works Director for the request of Ivory Development, LLC for the
9 Subdivision Plat called Avalon Hills Plat B on property located at approximately 951 East 830
10 South, in the R1-9 (Single-Family Residential) Zone; and adopt the exhibits, conditions, and
11 findings contained in the staff report and as modified by the conditions below:
12

- 13 1. All Final Planning, Engineering, and Fire Department requirements are met.
- 14
- 15 2. If the grade between properties is larger than three feet, the developer will put in a
16 suitable screen to help mitigate a difference in grade.
17

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

21 **ITEM 2 – Public Hearing to Consider the Request of Jacob Carter for a Conditional Use Permit**
22 **to Allow a Fence Taller than Six Feet in Height on Property Located at 2625 North 900 West,**
23 **within the Rural Commercial Overlay, in the R-R (Rural Residential) Zone. MANILA**
24 **NEIGHBORHOOD.**
25

26 Ms. Henry presented the staff report and stated that the Planning Commission had heard another
27 application for the project the prior month, and the site plan had already been approved. The
28 applicant was now requesting a Conditional Use Permit to allow the installation of a fence taller
29 than six feet in height. Ms. Henry presented the site plan and identified the location of the proposed
30 eight-foot fence. The applicant was also requesting a 10-foot fence along the street. The purpose
31 of the taller fencing was to keep balls and equipment from going into the neighboring properties
32 or the street. The fencing would be black vinyl-coated, chain link. Staff recommended approval.
33

34 The applicant, Jacob Carter, gave his address as 367 Millcreek Road and was available to answer
35 questions.
36

37 Commissioner Sanderson suggested that other sections of fencing also be 10 feet in height, such
38 as the southeast corner. Mr. Carter was open to increasing the height, if requested by the Planning
39 Commission.
40

41 Chair Steele opened the public hearing.
42

43 Ken Nickell gave his address as 965 West 2600 North and expressed concern that the City was
44 adding more commercial in residential areas. At the previous meeting where the project was
45 discussed, Mr. Nickell addressed the safety concerns at the intersection. He stated that the City

1 had not done anything to address those issues. He remarked that when someone is killed on that
2 road, he will hold the City responsible.

3
4 There were no further public comments. Chair Steele closed the public hearing.

5
6 Commissioner Coombs asked if there was anything they could do to address the safety concerns
7 raised by Mr. Nickell.

8
9 Mr. Gonzalez explained that staff required the applicant include modifications to the intersection
10 as part of their site plan, and they had conformed to that. With regard to 2600 North, he reported
11 that staff was in the process of requesting funding to widen the road to a full cross section. That
12 would alleviate the issues of site distance and increase safety. He confirmed that they would also
13 reconstruct the road to eliminate the dip. Mr. Gonzalez offered to meet with Mr. Nickell to
14 describe the improvements that will be made to the intersection.

15
16 Mr. Carter stated was aware of the safety issues and stated that they were doing everything possible
17 to increase safety within the scope of their property. Staff had done an amazing job of
18 communicating to them what needs to be included in their site plan. Mr. Carter stated that they
19 would not be able to resolve every safety issue that exists but have done what they can to resolve
20 the situation.

21
22 Mr. Cardenas suggested that the Planning Commission make a decision regarding the application
23 before them.

24
25 **MOTION:** Commissioner Coombs moved that the Planning Commission APPROVE the request
26 of Jacob Carter for a Conditional Use Permit to allow fencing greater than six feet in height on
27 property located at 2625 North 900 West, in the Rural Commercial Overlay; and adopt the exhibits,
28 conditions, and findings contained in the staff report and as modified by the conditions below:

- 29
30 1. All Final Planning, Engineering, and Fire Department requirements are met.
31
32 2. Obtain a building permit before construction of the fence takes place.

33
34 Commissioner Sanderson seconded the motion. The Commissioners unanimously voted “Aye”.
35 The motion carried.

36
37 **ITEM 3** – Review and Approval of the Minutes from the February 8, 2018 Planning Commission
38 Meetings.

39
40 **MOTION:** Commissioner Coombs moved that the Planning Commission APPROVE the minutes
41 from the February 8, 2018 Planning Commission Meeting. Commissioner Hawkins seconded the
42 motion. The Commissioners unanimously voted “Aye”. The motion carried.

43
44 **MOTION:** Commissioner Sanderson moved to adjourn. Commissioner Coombs seconded the
45 motion. The Commissioners unanimously voted “Aye”. The motion carried.

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The meeting adjourned at 7:36 p.m.

Planning Commission Chair

Barbara Johnson, Planning Tech

Date Approved