PLEASANT GROVE CITY
PLANNING COMMISSION MEETING MINUTES
SEPTEMBER 26, 2019

PRESENT: Chair Dustin Phillips, Vice-Chair Tamara Oborn, Commissioners Lisa Coombs, Jeffrey Butler, Todd Fugal, Tim Clyde

EXCUSED: Commissioners Bobbie Jo Blake and Peter Steele

STAFF: Daniel Cardenas, Community Development Director; Rylee Hall, City Planner; Shaun Hilton, Staff Engineer; Kara Kresser, Planning Assistant

The Planning Commission held a Work Session at 6:30 p.m.
Chair Phillips opened the meeting at 7:00 p.m.

Commission Business:

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

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

3. Agenda Approval:

   • MOTION: Commissioner Oborn moved to APPROVE the agenda as part of public record, with Item 3 being canceled, Item 6 being continued to the October 10, 2019 meeting, and Item 7 being continued indefinitely. Commissioner Clyde seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

4. Staff Reports:

   • MOTION: Commissioner Fugal moved to APPROVE the staff reports as part of the public record. Commissioner Clyde seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.
5. Declaration of Conflicts and Abstentions from Commission Members: There were none.

ITEM 1 – Public Hearing to Consider the Request of Randy Dean for a Two-Lot Preliminary Subdivision Plat called Sweet Caroline Plat ‘A’, on Property Located at Approximately 1144 North 170 East in the R1-12 (Single-Family Residential) Zone. **BIG SPRINGS NEIGHBORHOOD**

City Planner, Rylee Hall, presented the staff report and said that the applicant is requesting approval of a two-lot residential subdivision, called Sweet Caroline Plat ‘A,’ located at approximately 1144 North 170 East in the R1-12 (Single-Family Residential) Zone. The General Plan designation for the property is Very Low-Density Residential. Both lots in the proposed subdivision are currently under construction. Both homes were determined to meet all relevant requirements for homes in the R1-12 Zone. The lots in the proposed subdivision are currently part of a subdivision called Larsen Acres Plat ‘C.’ With approval of the proposed subdivision plat, Lots 35 and 36 of Larsen Acres Plat ‘C’ will be vacated and become Lots 1 and 2 of Sweet Caroline Plat ‘A.’ Street improvements for the proposed lots are existing and frontage for both lots is provided by 170 East. Staff recommended approval of the subdivision plat.

Chair Phillips opened the public hearing. There were no public comments. Chair Phillips closed the public hearing and invited the Commission to either continue the discussion regarding this item or that he would entertain a motion if no further discussion is necessary.

**MOTION:** Commissioner Coombs moved that the Planning Commission forward a positive recommendation of APPROVAL for the request of Randy Dean for the Subdivision Plat called Sweet Caroline Plat ‘A’, on property located at approximately 1144 North 170 East, in the R1-12 (Single-Family Residential) Zone; and adopt the exhibits, conditions, and findings contained in the staff report, and as modified by the condition below:

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

Commissioner Butler seconded the motion. The Commissioner unanimously voted “Aye”. The motion carried.

ITEM 2 – Public Hearing to Consider the Request of Mark Stephenson for a Conditional Use Permit to Allow an Accessory Structure, 23 feet in height, on Property Located at 703 East 700 North in the R1-9 (Single-Family Residential) Zone. **MONKEY TOWN NEIGHBORHOOD**

Ms. Hall presented the staff report and explained that the applicant is requesting approval of a Conditional Use Permit for a proposed accessory structure, with a height taller than 18 feet on property located at 703 East 700 North in the R1-9 (Single-Family Residential) Zone. The General Plan designation for the property is Medium-Density Residential. Currently, there is no home on
the subject property, but a building permit application was issued on August 13, 2019. The
applicant intends to construct the home and the accessory structure simultaneously.

Pleasant Grove City Code ("City Code") Section 10-9B-7 requires that any accessory structure
over 18 feet in height obtain conditional use approval. The proposed garage is 23 feet in height.
City Code allows for a height of 25 feet, or the height of the primary dwelling, whichever is more
restrictive. The home will be roughly 26 feet tall, which is taller than the proposed accessory
structure. The proposed garage height was determined to be within the allowed requirements. The
City Code also requires accessory structures 18 feet or greater be a minimum of 10 feet from the
side and rear property lines. The proposed structure meets this requirement. The structure also
meets City Code requirements for building area, lot coverage, distance between buildings, and
material requirements. Staff recommended approval of the Conditional Use Permit.

Commissioner Fugal asked if the accessory structure would also be subject to a front yard setback.
Ms. Hall stated that the front setback requirement is 25 feet.

The applicant, Mark Stephenson, gave his address as 2003 Eagle Crest Drive in Draper. He intends
to construct two new homes, each two stories with three-car garages. The homes were projected
to have sale prices in the low $500,000s. With respect to the front setback, Mr. Stephenson said
that the street was curved in this area, so the driveway was set at an angle. The driveway is roughly
26 feet.

Community Development Director, Daniel Cardenas clarified that the front setback measurement
was not along the driveway. The setback was measured from the property line to the closest part
of the structure. The plans received by staff showed a setback of 25 feet.

Chair Phillips opened the public hearing.

Tom Strasburg gave his address as 705 East 700 North and stated that he sold part of his property
for this development about four years ago. It was his understanding that three homes and a
detached garage would be constructed. He was concerned about this application for additional
height, and the applicant’s intention to put in an accessory apartment. There were concerns about
access, parking, and safety. Mr. Strasburg stated that it was possible that the proposed structure
was within an easement in the back corner of the lot. Chair Phillips asked staff if they had looked
at these concerns. Director Cardenas confirmed that they had. He stated that no parking would be
allowed on the flag stem.

Scott Nielson, who resides at 684 North 700 East, stated that he tried for 11 months to get a
variance for the roof height of his detached garage so that he could have a more than the allowed
4-12 pitch. The request was denied several times. Mr. Nielson was concerned that the City was
not consistent in variances that are approved.
Russell Riley, a neighbor, stated that when his family purchased their home, they were shown a plan for the undeveloped property that showed two homes with no accessory structures. The roadway here is only 18 feet wide and is not wide enough to accommodate more homes. He anticipated even more traffic if an accessory apartment is included in the development. Mr. Riley was opposed to the development as proposed.

Director Cardenas explained that the plat for the property had already been approved. A plat included property lines and building envelopes but did not include any structures. No structure had yet been approved for this property.

Commissioner Clyde stated that the required road width for flag stems is 20 feet. Those roads are not designed to be main or collector roads. Currently, City Code allows accessory apartments in residential zones, but it also includes many requirements for accessory apartments, including parking. The duty of the Planning Commission is to examine the proposal before them and determine whether it meets the current City Code.

The Planning Commission recognized they had received a letter from Eric and Wendy Johnson expressing concerns similar to those already stated.

Director Cardenas confirmed that the roadway was a common stem for a flag lot. At the time that the stem was approved, it met City Code requirements. The City Code did allow for accessory apartments in any single-family residential zone and did not limit accessory apartments in flag lots. Staff would ensure that the site and accessory apartment meet all requirements of the City Code. The application before the Planning Commission tonight was to request increased height for the accessory structure.

There were no further public comments. Chair Phillips closed the public hearing.

Chair Phillips assured the residents that the development would not be granted occupancy if the requirements are not met. Commissioner Oborn added that the residents have the ability to complain to the City if cars park on the common stem.

Commissioner Fugal stated that a conditional use is not a variance. The applicant was not asking for an exception to the City Code. The Conditional Use Permit was for something that was allowed by City Code, and it provided a way for the Planning Commission to impose mitigating conditions on those uses, if necessary.

Chair Phillips reopened the public hearing.

Russell Riley stated that the flag stem had to be approved based on a plan presented to the City. That site plan had changed since the flag stem approval.
Director Cardenas described the difference between a plat and a site plan. No site plan had been approved yet.

Commissioner Oborn said that the developer probably had an idea of how the property would develop, but those buildings had not been approved by the City. There was continued discussion regarding the approval of flag stems and flag lots.

Chair Phillips closed the public hearing and invited the Commission to either continue the discussion regarding this item or that he would entertain a motion if no further discussion is necessary.

MOTION: Commissioner Clyde moved that the Planning Commission APPROVE the request of Mark Stephenson for a Conditional Use Permit for a proposed accessory structure, with a height taller than 18 feet, located at 703 East 700 North in the R1-9 (Single-Family Residential) Zone; and adopt the exhibits, conditions, and findings contained in the staff report, and as modified by the conditions below:

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

2. The applicant has a surveyor verify that the front setback of the accessory structure is 25 feet. The survey letter must be provided to staff.

Commissioner Oborn seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

ITEM 3 – Public Hearing to Consider the Request of Request of Chalena L. Jepperson for a Conditional Use Permit for a Kennel License to Allow More than Two Dogs on Property Located at 1070 North 730 East in the R1-9 (Single-Family Residential) Zone. **BIG SPRINGS NEIGHBORHOOD** *Cancelled*

ITEM 4 – Public Hearing to Consider the Request of Deny Farnworth for a Six-Lot Preliminary Subdivision Plat called Adam’s Acres Subdivision Plat ‘A’, on Property Located at Approximately 825 East 200 South in the R1-10 (Single-Family Residential) Zone. **SCRATCH GRAVEL NEIGHBORHOOD**

Ms. Hall presented the staff report regarding a six-lot residential, preliminary subdivision called Adam’s Acres Subdivision Plat ‘A’ located at approximately 825 East 200 South in the R1-10 (Single-Family Residential) Zone. The General Plan designation for the property is Low-Density Residential. Street improvements for the proposed lots were not existing and would be required with future development. The proposed Vicinity Plan associated with the plat was approved at the Planning Commission meeting on August 22, 2019 in association with a nearby plat, Adam’s Acres Plat B. The proposed subdivision occupied a total area of 2.091 acres. City Code requires
each corner lot in R1 Zones to be at least 10 feet wider than the minimum required width for
interior lots. Lots 2, 3, and 6 were determined to meet this requirement. All of the proposed lots
also meet the requirements of the R1-10 (Single-Family Residential) Zone.

Chair Phillips opened the public hearing.

Tom and Kay Swallow gave their address as 2420 East Arnett Drive in Salt Lake City and stated
that the adjacent property is owned by Mrs. Swallow’s mother, Margret Thorne. Mr. Swallow
stated that they prefer the first plan that includes a cul-de-sac. He wasn’t sure why that plan was
abandoned or denied.

There was brief discussion about the procedure of development approval and what would happen
if Mrs. Thorne ever decides to develop her property or sell it for development. It was noted that
the proposed road would be installed now.

Chair Phillips closed the public hearing and invited the Commission to either continue the
discussion regarding this item or that he would entertain a motion if no further discussion is
necessary.

**MOTION:** Commissioner Oborn moved that the Planning Commission forward a positive
recommendation of APPROVAL for the request of Deny Farnsworth for the Subdivision Plat called
Adam’s Acres Subdivision Plat ‘A’, on property located at approximately 825 East 200 South, in
the R1-10 (Single-Family); and adopt the exhibits, conditions, and findings contained in the staff
report, and as modified by the conditions below:

1. Street improvements will be required upon further development of the property.

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

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

**ITEM 5 – Public Hearing to Consider the Request of Mark Ringger for a Two-Lot, One- Parcel,
Commercial Preliminary Subdivision Plat called doTERRA Subdivision Plat ‘B’, on Property
Located at Approximately 389 South 1300 West in The Grove Zone – Commercial Sales
Subdivision. **SAM WHITE’S LANE NEIGHBORHOOD**

Ms. Hall presented the staff report regarding a request for approval of a two-lot, one-parcel
commercial subdivision plat, called doTERRA Subdivision Plat ‘B’, located at approximately 389
South 1300 West and Pleasant Grove Boulevard in The Grove Zone – Commercial Sales
Subdistrict. The General Plan designation of the property is Commercial Sales. Lots 4 and 5 have
existing structures that meet all relevant requirements for The Grove Zone – Commercial Sales
Subdistrict, including setbacks, building height, landscaping, and parking. One lot in the proposed subdivision, Lot 4, is currently part of a subdivision called doTERRA Subdivision Plat ‘A.’ With the approval of the proposed subdivision plat, Lots 1, 2, and 3 of doTERRA Subdivision Plat ‘A’ would be vacated and become Lot 4 of proposed subdivision, doTERRA Subdivision Plat ‘B.’ Parcel ‘A’ would not be considered buildable until further platted. Staff recommended approval.

Commissioner Clyde inquired as to the purpose of the plat. The applicant, Mark Ringger, identified himself as the Vice President of HR and Campus Operations for doTERRA. He wasn’t sure of the reasoning behind the consolidation. There were currently no plans to develop the parcel.

Chair Phillips opened the public hearing. There were no public comments. Chair Phillips closed the public hearing and invited the Commission to either continue the discussion regarding this item or that he would entertain a motion if no further discussion is necessary.

**MOTION:** Commissioner Fugal moved that the Planning Commission forward a positive recommendation of APPROVAL for the request of Mark Ringger for the Subdivision Plat called doTERRA Subdivision Plat ‘B’, on property located at approximately 389 South 1300 West, in The Grove Zone – Commercial Sales Subdistrict; and adopt the exhibits, conditions, and findings contained in the staff report and as modified by the condition below:

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

Commissioner Clyde seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

**ITEM 6 – Public Hearing to Consider the Request of Pleasant Grove City to Amend City Code Section 10-21-4: Conditions for the Establishment of Home Business, by Changing the Conditions and Requirements for Uses Involving Sales or Retail of Products from a Residence, Including Online Sales. CITYWIDE *Continued to the October 10, 2019 Planning Commission Meeting.**

**ITEM 7 – Public Hearing to Consider the Request of Chase Michaelis for a Conditional Use Permit for a Major Home Occupation to Run an Online Sales Business with Non-Resident Employees on Property Located at Approximately 672 South 9000 East in the R1-9 (Single-Family Residential) Zone. SCRATCH GRAVEL NEIGHBORHOOD *Continued indefinitely.**

**ITEM 8 – Review and Approval of the Minutes from the September 12, 2019 Planning Commission Meeting.**

**MOTION:** Commissioner Coombs moved to APPROVE the minutes from the September 12, 2019 Planning Commission meeting, as written. Commissioner Oborn seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.
MOTION: Commissioner Coombs moved to adjourn the meeting at 8:03 p.m. Commissioner Oborn seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

Planning Commission Chair

Kara Kresser, Planning Tech

10-24-19

Date Approved