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PLEASANT GROVE CITY
PLANNING COMMISSION MEETING MINUTES
MARCH 12, 2020

PRESENT: Chair Todd Fugal, Vice-Chair Jeffrey Butler, Commissioners Bobbi Jo Blake, Lisa Coombs, Peter Steele, and Dustin Phillips

EXCUSED: Commissioners Tamara Oborn, Tim Clyde, and Jim Martineau

STAFF: Daniel Cardenas, Community Development Director; Rylee Hall, City Planner; Matt Redmond, City Engineer; Kara Kresser, Staff Assistant

Chair Fugal opened the regular session at 7:00 p.m.

Commission Business:

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

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

3. Agenda Approval:

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

4. Staff Reports:

- **MOTION:** Commissioner Phillips 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 none.

1 **ITEM 1** – Public Hearing to Consider the Request of Pleasant Grove City for a One-Lot,
2 Preliminary Subdivision Plat called Veterans Memorial Park Plat ‘A’ on Property Located at
3 Approximately 300 South and Locust Avenue, in the R1-8 (Single-Family Residential) Zone.
4 **SCRATCH GRAVEL NEIGHBORHOOD**
5

6 City Planner, Rylee Hall, presented the staff report regarding a request from Pleasant Grove City
7 for a one-lot subdivision called Veterans Memorial Park Plat ‘A’, located at the address above.
8 The property is located in the R1-8 Zone and designated as Medium-Density Residential. The
9 purpose of the plat was consolidation. The City gradually acquired all properties within the subject
10 area. Some of the properties were purchased with existing homes that have since been demolished.
11 The existing structures on the property are the Pleasant Grove City Recreation Center, the Pleasant
12 Grove Veterans Memorial Pool, and the pavilion associated with Veterans Memorial Park. The
13 City intends to build pickle ball courts along the western portion of the property. Street
14 improvements were existing. None of the parcels have ever been part of a subdivision. The
15 proposed subdivision occupies a total area of about 10.85 acres and meets all requirements in the
16 R1-8 Zone. The frontage for Lot 1 was provided by public roads 300 South and Locust Avenue.
17 The plan presented was conceptual and an engineered site plan would be presented to the Planning
18 Commission at a later date. Staff recommended approval.
19

20 Chair Fugal opened the public hearing.
21

22 Mary Ellen Brailsford, a Locust Avenue resident, stated that and she and her children have been
23 waiting for Phase 2 of the Recreation Center, as promised by the City Council. She asked when a
24 plan would be presented for that. Commissioner Steele clarified that the application was for a
25 subdivision plat to consolidate the lots. A site plan proposal would come before the Planning
26 Commission sometime in the future. He was also planning to ask a lot of questions about the site
27 plan.
28

29 There were no further public comments. Chair Fugal closed the public hearing and invited the
30 Commission to either continue the discussion regarding this item or that he would entertain a
31 motion if no further discussion is necessary.
32

33 **MOTION:** Commissioner Coombs moved that the Planning Commission forward a positive
34 recommendation of APPROVAL for the request of Shaun Hilton (Pleasant Grove City Staff) for
35 the Subdivision Plat called Veterans Memorial Park Plat ‘A’ on property located at approximately
36 300 South and Locust Avenue, in the R1-8 (Single-Family Residential) Zone; and adopt the
37 exhibits, conditions, and findings contained in the staff report; and as modified by the condition
38 below:
39

- 40 1. All Final Planning, Engineering, and Fire Department requirements are met.
41

42 Commissioner Blake seconded the motion. The Commissioners unanimously voted “Aye”. The
43 motion carried.

1
2 **ITEM 2 – Public Hearing to Consider Amending City Code Section 10-15-41, Street Frontage**
3 **Improvements, Adjusting the Threshold Requirements for when the Street Frontage Improvements**
4 **are Required, the Criteria for Approving Expectations and Modifying the Current Requirements**
5 **for the Waiver of Protest. CITY WIDE**
6

7 Community Development Director, Daniel Cardenas, explained that in 2016, staff was directed to
8 prepare a proposal to address the method and criteria used in reviewing requests for an exception
9 to installing street improvements. Following a joint work session of the Planning Commission and
10 City Council as well as previous discussions held by the Planning Commission in the months prior
11 to July 2016, the City Council adopted a new ordinance, which was currently being administered.
12 Under the current adapted ordinance, requests for an exception to installing street improvements
13 were referred to as a “waiver of protest”, and the process of granting an exception requires the
14 applicant to obtain conditional use permit approval from the Planning Commission. The current
15 ordinance was generally more lax than the previous iteration. The purpose of City Code 10-15-
16 41: Street Frontage Improvement was to require property owners, at the time of a building permit,
17 to install the full or the remaining street improvements (curb, gutter and sidewalk) in places where
18 they have not been installed along the frontage of the property. Certain exceptions apply to this
19 requirement, some of which were as follows:
20

- 21 • The construction of an accessory structure no greater than the 10% of the minimum
- 22 required lot size in the zone in which is located.
- 23 • Interior or exterior remodels that do not required the expansion of the building footprint.
- 24 • Additions to the existing building no greater than 700 square feet.
- 25 • Residential basement finishes.
- 26 • Sites with historical value that could be aversively affected by the installation of street
- 27 improvements.
- 28 • Properties that involve topographical or drain issues.
- 29 • Properties that are located more than 300 feet away from existing improvements.
30

31 Recently, staff was directed to review the different circumstances that may qualify for an exception
32 to the installation of curb, gutter and sidewalk. In researching cases where street improvements
33 had and had not been installed, they found that out of the 11 cases where street improvements were
34 required (since July 2016), only five owners actually installed them. Currently, 75% of the City
35 had all street improvements installs, 7% had curb and gutter, 2% had sidewalks only, and 16% had
36 no street improvements at all. Based on these statistics, staff recommended keeping the system
37 currently established for the installation of street improvements with some modifications to the
38 exceptions. This would be done in an effort to make it more amicable to the property owners who
39 are discouraged from making additions to their dwellings based on the implications of extra cost
40 for the installation of the street improvements. In reviewing modifications that would be most
41 impactful, staff decided to take a closer look at Exception 7, which has to do with the proximity to
42 properties with already installed improvements. The Code currently reads:
43

44 *“7. The property is more than three hundred feet (300') away from existing street improvements and a*
45 *letter recommending the exception is submitted by the city engineer;”*

1
2 After revision, Exception 7 was proposed to read as follows:
3

4 *~~“7. The property is more than three hundred feet (300') away from existing street improvements and a~~*
5 *~~letter recommending the exception is submitted by the city engineer; The property is not directly~~*
6 *~~adjacent to existing curb, gutter and sidewalk improvements and a letter recommending the exception~~*
7 *~~is submitted by the city engineer;”~~*
8

9 The purpose of the proposed amendment was to keep the continuation of street improvements
10 where they currently exist and avoid isolated areas of street improvements that create possible
11 drainage issues to the subject property. It was also proposed that eliminate the requirement of the
12 Waiver of Protest be eliminated since it has not been used in recent years.
13

14 Commissioner Butler asked if these amendments would put the responsibility of paying for the
15 improvements on the City if a waiver was granted. Director Cardenas clarified that this only
16 applies to people who were remodeling or putting an addition onto their homes. It does not apply
17 to new builds. Commissioner Steele explained that the City could do a Special Assessment District
18 to get improvements installed in larger areas. If a Waiver of Protest is in place, that property would
19 be counted as a “yes” vote toward the improvements.
20

21 Commissioner Blake asked if staff’s goal was to create a less restrictive Code requirement so that
22 people will be encouraged to make the improvements. Director Cardenas said that staff wanted
23 street improvements because they are important to the drainage system and safety. The system
24 that is in place isn’t perfect but is a tool to get the improvements installed eventually. By altering
25 Exception 7, they were trying to avoid drainage problems and have fewer isolated sidewalks.
26

27 Chair Fugal did not feel that the proposed amendments were achieving what the City wanted in
28 terms of getting street improvements installed. Director Cardenas explained that the amendment
29 was initiated in response to several applicants expressing their concerns that this requirement was
30 financially burdensome. Some applicants chose not to remodel or expand their homes because of
31 the additional cost to install street improvements. Commissioner Coombs felt that this amendment
32 would take them in the opposite direction of where the City wants to go. Commissioner Steele
33 stated that they discussed the 300 feet distance at length in 2016. They decided to include a
34 distance because they needed to start somewhere. If they allowed everyone an exception, the City
35 would remain without street improvements.
36

37 Chair Fugal opened the public hearing.
38

39 Steven Burt, a resident, felt that staff was moving in the right direction with the proposal. This
40 would encourage owners to improve their properties.
41

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

1
2 Commissioner Steele prefaced his comments by saying that this was not about City staff. The
3 issue is a policy preference of the City Council. He agreed that it is an inefficient way to get street
4 improvements installed and they probably would not have complete improvements throughout the
5 City for many years. However, he also thought it wasn't acceptable to continue to ignore this real
6 safety concern. He felt it would be better for the City Council to raise property taxes slightly to
7 increase the Street Fund so that they could include street improvements with those repairs. If the
8 Council was insistent on changing this ordinance, they should exclude commercial properties from
9 the exemption. Businesses should be able to put in street improvements if they are improving their
10 properties.

11
12 Commissioner Blake was in favor of street improvements because they were good for the
13 community as a whole. Property owners, however, should be able to improve their properties.
14 She wasn't sure that the amendment accomplishes the vision of the City. The amendment would
15 not change much from what is already there.

16
17 City Engineer, Matt Redmond, explained that when a Building Permit comes in and its determined
18 that street improvements are required, someone from the Engineering Department calculates a
19 bond for the cost of the improvements. When he prepared bond calculations, many rescinded their
20 applications because it would cost too much to install the improvements. Having an island of curb
21 and gutter or sidewalk may not be beneficial to the City, since they are not tied into existing
22 systems. The spirit of the text amendment was to help owners remodel their homes rather than
23 prevent it. He noted that in many cases, putting street improvements in without tying into the
24 existing system is more expensive, particularly in the older areas of the City.

25
26 The Commission continued to discuss their concerns about the ordinance and the proposed
27 amendment.

28
29 **MOTION:** Commissioner Blake moved that the Planning Commission forward a
30 recommendation of APPROVAL to the City Council for the proposed amendments to City Council
31 Section 10-15-41: Street Frontage Improvements, modifying the current requirements for the
32 waiver of protest, as proposed; but not to include the proposed changes to 10-15-41: D-7, adjusting
33 the threshold requirement; and adopt the exhibits, conditions, and findings contained in the staff
34 report, and as modified by the condition below:

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

37
38 Commissioner Steele seconded the motion. The Commissioners unanimously voted "Aye". The
39 motion carried.

40

1 The Planning Commission and staff briefly discussed and clarified the motion. It was determined
2 that the motion was acceptable. The item would go before the City Council the first meeting in
3 April.

4
5 **ITEM 3** – Review and Approval of Minutes from February 27, 2020 Planning Commission
6 Meetings.

7
8 **MOTION:** Commissioner Coombs moved that the Planning Commission APPROVE the minutes
9 for the February 27, 2020, Planning Commission Meeting, as amended. Commissioner Phillips
10 seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

11
12 **MOTION:** Commissioner Phillips moved to adjourn the meeting at 8:05 p.m. Commissioner
13 Butler seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

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17 Planning Commission Chair

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19 _____
20 Kara Kresser, Planning Tech

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22 _____
23 Date Approved