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3 PLEASANT GROVE CITY
4 PLANNING COMMISSION MEETING MINUTES
5 November 17, 2022

6
7 **PRESENT:** Chair Jeffrey Butler, Todd Fugal, Jim Martineau, Wendy Shirley, Karla Patten

8
9 **STAFF:** Daniel Cardenas, Community Development Director; Kara Kresser, Planning Assistant;
10 Kristen Haggard, Planning Tech

11
12 **EXCUSED:** Aaron Wilson, City Engineer; Jacob Hawkins, City Planner; and Commissioners
13 Peter Steele, Lindsey Hargett, Dustin Phillips, and Tim Clyde

14
15 Chair Jeffrey Butler called the special meeting to order at 7:00 p.m.

16
17 **Commission Business:**

18
19 **1. Pledge of Allegiance and Opening Remarks:** Commissioner Martineau led the Pledge
20 of Allegiance. Commissioner Patten offered the opening remarks.

21
22 **2. Agenda Approval.**

- 23
24 • **MOTION:** Commissioner Martineau moved to APPROVE the agenda.
25 Commissioner Fugal seconded the motion. The Commissioners unanimously voted
26 "Aye". The motion carried.

27
28 **3. Staff Reports:**

- 29
30 • **MOTION:** Commissioner Fugal moved to APPROVE the Staff Reports.
31 Commissioner Martineau seconded the motion. The Commissioners unanimously
32 voted "Aye". The motion carried.

33
34 **4. Declaration of Conflicts and Abstentions from Commission Members.**

35
36 There were no declarations or abstentions.

1 **ITEM 1 – Code Text Amendment–Section 10-14-25-2:PERMITTED, CONDITIONAL AND**
2 **ACCESSORY USES in The Grove Business Park Overlay.**

3 **(City Wide)**

4 Public Hearing to Consider the Request of St. John Properties to Amend City Code Section 10-14-
5 25-2: Permitted, Conditional, and Accessory Uses in The Grove Business Park (“GBP”) Overlay,
6 by Modifying the Provisions, Requirements, and List for Permitted Principal Uses within The
7 Grove Business Park (“GBP”) Overlay, located within The Grove Interchange Subdistrict, and
8 Adding a Series of Multiple New Uses or Categories to the List of Permitted Uses within the
9 Overlay Zone.

10
11 Community Development Director, Daniel Cardenas, thanked the Commission Members for being
12 present at this special meeting. He presented the staff report and stated that this item is a Code
13 Text Amendment seeking to amend Section 10-14-25-2, which identifies the Permitted,
14 Conditional, and Accessory uses in The Grove Business Park (“GBP”) Overlay. The purpose of
15 an overlay is to include special terms and uses beyond what is applicable in the underlying zone.
16 For example, the Grove Business Park (“GBP”) Overlay was created for part of the doTERRA
17 campus to meet the need for a building that could house both light manufacturing and storage,
18 which were not Permitted uses, by themselves, in The Grove Zone. Those uses are allowed,
19 however, when they are subordinate or secondary to the Permitted use.

20
21 On an aerial photo, Director Cardenas identified the location of the proposed subject overlay area,
22 which included commercial businesses and automobile sales to the south, residential to the east,
23 and offices and churches nearby. He reported that over the past four years, requests for flex space
24 buildings that allow manufacturing or storage in the same building have become popular. The
25 applicant’s buildings are of this type.

26
27 Using the Proposed Text Amendment list, Director Cardenas described the general content and
28 stated that he would be identifying staff’s position on the use items. The uses on the list designated
29 in black print are already permitted uses in the underlying zone. He then reviewed each of the use
30 categories.

31
32 Manufacturing Uses were addressed first. These uses concern production only and are identified
33 by the numbers beginning with “2” or “3.” Of the numbers listed, staff had concerns regarding
34 the following uses:

- 35
- 36 • 2150 (manufacturing bakery products),
 - 37 • 2180 (beverages),
 - 38 • 3140 (miscellaneous plastic products) and
 - 39 • 3500 (professional, scientific, and controlling instruments, photographic and optical goods,
40 watches, and clocks).

41
42 Uses 2700 and 2830 were identified as appropriate as already Permitted in the zone.

1
2 Director Cardenas then addressed the specific concerns. He described Granny B's Cookies as
3 being covered under Use 2150 (manufacturing bakery products) noting the presence of large ovens
4 and deliveries involving large semi-trucks and stated that the use was proper for the zone. Staff
5 considered Use 2180 (beverages) to be too broad. The use was noted to be for distilleries. He
6 described a number of the subcategories which were more narrowly confined. It specifies that it
7 is up to the Commission to decide if such use is appropriate for the overlay. Use 3140 involves
8 manufacturing plastic figurines or small plastic parts. Staff's concern regarding this use pertained
9 to the potential for fumes. In addressing Use 3500, he reported that Use 3510, which specifically
10 addresses engineering, laboratory and scientific, and research instruments and associated
11 equipment, already applies to the underlying zone. The applicant, however, wants the category to
12 be broader to include photography, optical, watches, and clocks. Director Cardenas stated that
13 broadening the category was acceptable as the uses are not that different.

14
15 There was discussion regarding the Manufacturing Uses including:

- 16
- 17 • The impact of noise from manufacturing on the surrounding residential
- 18 community;
- 19 • Delivery issues (including the use of large trucks);
- 20 • Times of operation; and
- 21 • The potential for noxious odors or fumes.
- 22

23 During those discussions, it was acknowledged that noise is regulated by other Code provisions,
24 which could be used to limit any impact. Distilleries were thought to be a more intense
25 manufacturing process and that the distillery at 700 South is much farther from residential areas
26 than was being proposed here. Director Cardenas noted that even if the use were permitted, some
27 manufacturing would be subject to certain state regulations or specific specifications. He was
28 asked if the cost of manufacturing had a set of rules, to which he said he was not aware of such.

29
30 Director Cardenas next addressed the Communication Uses, which include the numbers beginning
31 with "4." Those uses identified included:

- 32
- 33 • 4731 (radio broadcasting – studio only),
- 34 • 4760 (recording and sound studios) and
- 35 • 4920 (transportation services and arrangements).
- 36

37 Transportation services include such things as shuttle buses, limos, taxis, and uber. Staff did not
38 see any problem adding these uses to the overlay. They are not sales tax generators.

39
40 The next category included the series beginning with "5" which are Retail Uses. These uses
41 produce sales tax, which is income for the city. He identified the 28 separate uses proposed, four
42 of which were already approved, and pointed out, where food was being sold, manufacturing or

1 storage might also be involved. If the area attributed to manufacturing or storage is less than 50
2 percent, it would be allowed. Of this group, he identified the following uses as needing further
3 discussion:

- 4
- 5 • 5180 (machinery, equipment, and supplies),
- 6 • 5190 (miscellaneous wholesale trade, NCE),
- 7 • 5800 (Eating and drinking places), and
- 8 • 5900 (miscellaneous retail trade).
- 9

10 Specifically, discussion about Uses 5180 and 5190 related to the appropriateness of large yard
11 space filled with machinery and equipment as well as the potential drawbacks of noise and traffic
12 issues. With respect to Use 5800 (eating and drinking places), Director Cardenas stated that Use
13 5810 is already permitted and allows eating places including restaurants and cafeterias. Use 5800
14 adds stand-alone bars or taverns, which is what the Commission needs to consider. Use 5900 was
15 thought by staff to be too broad, as one of the subcategories would be Use 5980, which addresses
16 bulk fuel, oil, and bottled gas as a stand-alone use not connected with service stations. The material
17 is flammable, raising storage and transportation issues. Staff's recommendation was to approve
18 Use 5900, except Use 5980.

19
20 Director Cardenas then addressed the Service Uses, which are identified by the series of numbers
21 beginning with "6," "7," and "8." 26 uses are listed, four of which are already permitted. These
22 uses are not sales tax generators but some services also do sell products, which is taxed (i.e., beauty
23 or barber shops). There was a question raised as to whether Use 6420 (electrical appliance repair
24 and services) might be better listed in the manufacturing section. In reviewing the list, Director
25 Cardenas reported that staff considered Use 6500 (professional services) too broad. There was
26 also discussion as to whether Uses 6515 and 6516 (asylums, sanitariums, drug abuse, or substance
27 abuse treatment) were appropriate for inclusion in this overlay.

28
29 The applicant, Marty Beaumont, from St. John's Properties ("SJP"), reported that they are seeking
30 slightly different uses for their two buildings which are different from the buildings found at
31 doTERRA. He reported that SJP has a very popular flex-type space building inventory of
32 7,000,000 square feet, which they lease. They have identified multiple uses allowed in other parts
33 of the State that are not allowed in Pleasant Grove. Consequently, they are seeking to expand the
34 uses to increase their base and flexibility in offering future tenants a variety of use options. He
35 acknowledged that some of the language in the uses is loose. He also noted that for some uses,
36 such as distilleries, other State rules would further govern their application. He commented that
37 fumes or odors could be controlled through nuisance ordinances.

38
39 When discussing the possibility of farm equipment and the openness of the building yard,
40 Mr. Beaumont described the buildings as having offices in the front and warehouse areas with
41 either large doors or roll-up doors with docks for deliveries in the back depending on the tenant's
42 needs. The single-story building will be approximately 50,000 square feet in size with 18-foot

1 ceilings to allow storage racks in the upper levels. He was unsure if there would be enough room
2 to park farm equipment in the back of the buildings. When asked where the company's other
3 building locations were in relation to residential and retail areas, he noted he has seen them in the
4 heart of the commercial area and between retail and flex space. He had not seen any near
5 residential units. Traffic flow in those areas will depend on the use and the user. Director Cardenas
6 reminded the Commission that it is not just the applicant's project that needs to be considered, as
7 the uses are for the general area. Plats can be adjusted and land can change. Mr. Beaumont stated
8 that they would like the uses to be as broad as possible.

9
10 Chair Butler opened the public hearing. There were no public comments. The Chair closed the
11 public hearing and invited the Commission to either continue the discussion regarding this item or
12 he would entertain a motion if no further discussion was necessary.

13
14 Director Cardenas reminded the Commission that the area is not a manufacturing zone and even
15 though the proposed buildings are large, the uses can change. He noted that when the Granny's
16 Cookie Factory building was constructed it was not intended to be a cookie factory.

17
18 The Commission reviewed the location of the overlay in relation to the residential area across the
19 street and discussed each of the uses. There was a consensus, based on prior discussion, that Use
20 2180 was acceptable as State requirements provide adequate limitations. Points raised during the
21 extensive discussion included:

- 22
- 23 • Concern regarding fumes that might be produced from plastic manufacturing;
- 24 • Uses, with the exception of Retail, were not sales tax generating and the city has limited
25 retail space available;
- 26 • Concern with large trucks being parked in the general area;
- 27 • Concern with allowing bars and taverns in the overlay area;
- 28 • Concern about the inclusion of the heavy oil uses (5981, 5982, and 5983) in the 5900 series;
- 29 • The appropriateness of Uses 6100, 6390, and 6500; and
- 30 • The appropriateness of Use 6900 (miscellaneous service organizations) because of its being
31 over-broad.
- 32

33 Mr. Beaumont was invited to provide additional comment. He noted that the underlying zoning is
34 Commercial Sales and SJP intended to provide a mix between commercial and retail. The area,
35 however, is not ideally suited for retail use as it is off the beaten path. They are trying to offer
36 clients the broadest scope of uses possible as potential tenants are reluctant to undertake the extra
37 steps to get a particular use permitted. They will simply go elsewhere.

38
39 There was discussion regarding the Commercial Sales Zone and the Interchange Subdistrict and
40 comparing what uses are allowed, the impact of these additional uses, whether these uses open the
41 door to unanticipated developments, or if preference should be given to any of the uses.
42 Mr. Beaumont was asked about his preference between Uses 6100, 6390, 6500, and 6900. He

1 noted that SJP's preference was for the broader use categories of 6100 and 6500 as they provide
2 more opportunities. He understood the concern with the broadness of those uses. The content of
3 the two categories was specifically reviewed and discussed. The number of proposed use requests
4 was significant.

5
6 Director Cardenas clarified that staff recommended Use 6100 not be allowed but that in its place
7 Use 6110 be allowed. Similarly, Use 6500 was recommended to be approved by staff but with the
8 exclusion of Uses 6515 and 6516. There was mention of whether to delete Use 6510.

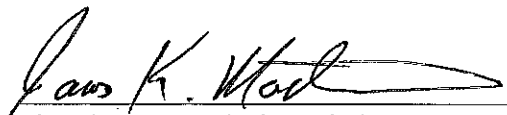
9
10 Following discussion of the proposed uses the determination was made to exclude the following
11 uses: 3140, 5190, 5800, 5981, 5982, 5983, 6390, 6100, 6390, 6515, 6516, and 6900. Uses 5810
12 and 5984 were to be retained. Uses 6110 and 6500 are already Permitted in the area. Director
13 Cardenas reviewed possible motion language.

14
15 **MOTION:** Commissioner Fugal moved that the Planning Commission forward a
16 recommendation of APPROVAL to the City Council for the proposed amendments to City Code
17 Section 10-14-25-2-C: Permitted, Conditional and Accessory Uses, by adding the proposed list of
18 uses to the list of Permitted uses in The Grove Business Park Overlay as specifically recommended
19 today to staff; and adopting the exhibits, conditions, and findings of the staff report, and as
20 modified by the condition below:

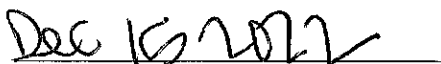
- 21
22 1. All Final Planning, Engineering, and Fire Department requirements are met.

23
24 Commissioner Martineau seconded the motion. The Commissioners unanimously voted "Aye".
25 The motion carried.

26
27 **MOTION:** Commissioner Martineau moved to ADJOURN the meeting at 8:54 p.m.
28 Commissioner Patten seconded the motion. The Commissioners unanimously voted "Aye". The
29 motion carried.

30
31 
32 _____
33 Planning Commission Chair

34 
35 _____
36 Kara Kresser, Planning Tech

37
38 
39 _____
Date Approved

2150- Bakery Products – Allow
2180- Beverage -Allow
2700- Printing, publishing, and allied industries – Already Allowed – Keep
2830- Pharmaceutical and nutritional supplements – Already Allowed - Keep
3140- Miscellaneous Plastic Products – **NOT ALLOWING**
3500- Profession, scientific and controlling instruments: photographic and optical goods:
watches and clocks-Allow
3510: Engineering, laboratory and scientific and research instruments and associated
equipment. -**This is to be removed because it is now included in use #3500.**
4731- Radio broadcasting (studios only) -Allow
4760- Recording and Sound Studios- Allow
4920- Transportation Services and Arrangements – Allow
5121- Wholesale trade of drugs, drug proprietaries and sundries- Already Allowed- Keep
5130- Dry Good and Apparel – Allow
5140- Groceries and related products- Allow
5160- Electrical Goods – Allow
5170- Hardware, Plumbing, Heating equipment and supplies- Allow
5180- Machinery, Equipment and Supplies - Allow
5190- Miscellaneous Wholesale and Trade, NEC – **NOT ALLOWING**
5200- Building materials, hardware, farm equipment and supplies- Allow
5300- General Merchandise – Allow
5400- Food – Allow
5590- Retail Trade- Automotive, Marine Crafts, Aircraft, and Accessories, NEC- Allow
5610- Men’s and Boy’s Clothing and Furnishings- Allow
5620- Women’s Ready Wear – Allow
5630- Women’s Accessories and Specialties- Allow
5640- Children’s and Infant’s Wear- Allow
5650- Family Clothing – Allow
5660- Shoes- Allow
5670- Custom Tailoring – Allow
5690- Retail Trade – Apparel and Accessories, NEC- Allow
5710- Furniture, Home Furnishings and Equipment- Allow
5720- Household Appliances- Allow
5730- Radios. Televisions, and Music Sound Systems and Supplies- Allow
5740- Office Equipment, Furniture, Machines and Supplies- Allow
5800- Eating and Drinking Places -**NOT ALLOWING**
5810- Eating Places, including restaurants and cafeterias- Already Allowed -Keep
5900- Miscellaneous Retail Trade- Allow BUT **Eliminate 5981, 5982, 5983, Keep 5984**
5910- Drug and proprietary retail - **This is to be removed because it is now included in
use #5900.**
5990- Miscellaneous Retail- **This is to be removed because it is now included in use
#5900.**
6100- Finance, insurance and real estate service- ALLOW 6110 but **DON’T ALLOW
ANYTHING ELSE**
6220- Photographic Services-Allow
6230- Beauty and Barber – Allow

- 6250- Apparel Repair – Allow
- 6291- Clothing Rental- Allow
- 6297- Athletic Clubs, ETC- Allow
- 6310- Advertising Services- Allow
- 6330- Duplicating, Mailing, Stenographic and Office Services- Allow
- 6340- Dwelling and Other Building Services- **OFFICE ONLY**-Allow
- 6360- Employment Services
- 6376- General Warehousing and Storage- Already Allowed- Keep
- 6390- Business Services, NEC- **NOT ALLOWING**
- 6420- Electrical Appliance Repair and Services- Allow
- 6490- Repair shops and Related services, NEC- Allow
- 6500- Professional Services- Allow BUT **Eliminate 6515 and 6516**
- 6519- Massage Clinic- licensed therapists- **This is to be removed because it is now included in use #6500.**
- 6540- Research Services- **This is to be removed because it is now included in use #6500.**
- 6600- Contract Construction Services- Allow
- 6710- Executive, Legislative, and Judicial Functions, except military – Allow
- 6830- Special Training and Schooling-Allow
- 6900- Miscellaneous Service Organizations-**NOT ALLOWING**
- 7320- Public Assembly uses- Already Allowed- Keep
- 7390- Amusements, NEC- Allow
- 7420- Playgrounds and Athletic Areas- Allow
- 8221- Veterinarian Services – Allow
- 8222- Animal Hospital Services – Allow