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3 PLEASANT GROVE CITY  
4 PLANNING COMMISSION MEETING MINUTES  
5 March 10, 2022  
6

7 **PRESENT:** Vice-Chair Jim Martineau, Tim Clyde, Wendy Shirley, Karla Patten, Dustin Phillips,  
8 Peter Steele  
9

10 **STAFF:** Daniel Cardenas, Community Development Director; Aaron Wilson, City Engineer;  
11 Kirsten Argall, Planning Tech; Kara Kresser, Planning Assistant  
12

13 **EXCUSED:** Chair Jeffrey Butler, Todd Fugal, and Lindsey Hargett  
14

15 In the absence of Chair Jeffrey Butler, Vice-Chair Jim Martineau called the meeting to order at  
16 7:00 p.m.  
17

18 **Commission Business:**  
19

20 **1. Pledge of Allegiance and Opening Remarks:** Commissioner Dustin Phillips led the  
21 Pledge of Allegiance. Commissioner Peter Steele offered the opening remarks.  
22

23 **2. Agenda Approval.**  
24

- 25 • **MOTION:** Commissioner Steele moved to APPROVE the agenda, with Items 3,  
26 4, and 5 being continued indefinitely so the items can be re-noticed. Commissioner  
27 Phillips seconded the motion. The Commissioners unanimously voted “Aye”. The  
28 motion carried.  
29

30 **3. Staff Reports:**  
31

- 32 • **MOTION:** Commissioner Tim Clyde moved to APPROVE the Staff Reports.  
33 Commissioner Steele the motion. The Commissioners unanimously voted “Aye”.  
34 The motion carried.  
35

36 **4. Declaration of Conflicts and Abstentions from Commission Members.**  
37

38 There were no declarations or abstentions.

1 **ITEM 1 – Public Hearing: Preliminary Subdivision Plat – Located at approximately 878**  
2 **East 350 North**  
3 **(Monkey Town Neighborhood)**

4 Public Hearing to Consider the Request of Kyle Sanderson for a Two-Lot Preliminary Subdivision  
5 Plat Totaling approximately .70 acres called Annie’s Acres Plat ‘B,’ on property located at  
6 approximately 878 East 350 North, in the R1-9 Residential Zone.

7  
8 Community Development Director, Daniel Cardenas, presented the staff report and stated that the  
9 above matter pertains to a proposal to modify the current preliminary subdivision plat, Annie’s  
10 Acres Plat ‘A’ is located in the R1-9 (Single-Family Residential) Zone to include a different plat.  
11 He first showed the Preliminary Plat Map, Annie’s Acres Plat ‘A’ which contains three lots, and  
12 identified the frontages of each lot. He reported that the applicant’s proposal vacates Lots 1 and 2  
13 of the current subdivision and proposes a new subdivision using those two lots to create Annie’s  
14 Acres Plat ‘B.’ Director Cardenas stated that once a subdivision is fully recorded, any subsequent  
15 change made to the property lines must go through the subdivision process again.

16  
17 Staff reviewed the new proposal for Annie’s Acres Plat ‘B’ and stated that before approval of the  
18 final plat, the applicant will be required to draw the building envelopes in the plat. Staff placed  
19 the approximate location of the building envelope on the proposed plat by red dotted lines on the  
20 Preliminary Plat, Annie’s Acre Plat ‘B.’ Director Cardenas stated that he initially questioned  
21 whether Lot 2 met the width requirements but found that did and referenced the green lines on the  
22 Preliminary Plat showing the minimum lot width of 85 feet for the zone at about 50 feet from the  
23 property line along the right-of-way. Staff found that each lot meets the size requirement of 9,000  
24 square feet, as required by the R1-9 Zone.

25  
26 The applicant, Taylor Smith, from Galloway & Company, reported that his firm did the  
27 engineering on the plat. He worked closely with Director Cardenas and made changes as  
28 necessary.

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

33  
34 **MOTION:** Commissioner Phillips moved the Planning Commission to forward a positive  
35 recommendation of APPROVAL for the request of Kyle Sanderson for a subdivision plat called  
36 Annie’s Acres Plat ‘B,’ on property located at approximately 878 East 350 North in the R1-9  
37 (Single Family Residential) Zone; and adopting the exhibits, conditions, and findings of the staff  
38 report, and as modified by the conditions below:

- 39  
40 1. The building envelopes shall be drawn correctly in the final plat.  
41 2. All Final Planning, Engineering, and Fire Department requirements are met.

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

3  
4 **ITEM 2: Public Hearing: City Code Amendment 10-11E-1-1: The Downtown Village Zone**  
5 **Permitted Uses.**  
6 **(City Wide)**

7 Public Hearing to consider the request of Gary Taylor to amend City Code Section 10-11E-1-1:  
8 The Downtown Village Zone, Permitted Uses, expanding the permitted uses to include Use #5511  
9 Motor vehicles, automobiles (new and used), permitted only within the area north of State Street  
10 with frontage to 600 West, and the area with frontage to State Street, as shown on the map attached  
11 to the ordinance codified herein. As well as use #5512 Motor vehicles, automobiles (new and  
12 used), permitted only within the area north of State Street with frontage to 600 West, and the area  
13 with frontage to State Street, as shown on the map attached to the ordinance codified herein.

14  
15 Director Cardenas presented the staff report and stated that the above matter was a proposed  
16 amendment of City Code 10-11E-1-1. Using an aerial view of the downtown area, Director  
17 Cardenas reported that Pleasant Grove’s downtown area is known for being one of the few well-  
18 designated downtown areas. He reported that many years ago, the Downtown Village Zone’s  
19 vision was established using detailed architectural standards and specific building requirements.  
20 In 2016, at a joint meeting of the City Council and the Planning Commission, permitted uses not  
21 compatible with the vision of the Downtown Village Zone were identified and eliminated from the  
22 list of permissible uses for that zone. Retail sales of used motor vehicles was one of the uses  
23 prohibited. Businesses with those prohibited uses still operating in the zone were allowed to  
24 remain operating as legal non-conforming uses.

25  
26 The applicant was proposing that both the sale of new vehicles and used motor vehicles be allowed  
27 to return to the Downtown Village Zone, in a specific area only as described in the amendment.  
28 Director Cardenas stated there are used motor vehicle businesses in the zone as legal non-  
29 conforming uses and nearby in a different zone (north of State Street with frontage to 600 West).

30  
31 Director Cardenas identified specific locations on the downtown map where applicant is seeking  
32 change and identified a nearby City-owned parking lot used for public parking for neighborhood  
33 businesses. The city allowed the parking area to promote downtown businesses.

34  
35 Commissioner Clyde confirmed that the City property is technically considered a right-of-way.  
36 Discussion ensued regarding what constitutes ownership of the rights-of way in the areas on State  
37 Street between the City and the State and their potential impacts. City Engineer, Aaron Wilson  
38 noted that the State of Utah dictates rights-of-way and may officially own a right-of-way. It,  
39 however, expects cities to maintain the property behind the curb and gutter line. This area is one  
40 where the rights-of-way will be unclear because the County also does not distinguish between a  
41 City or State right-of-way. When resolving issues, the type of problem dictates who is responsible.

1 Director Cardenas advised the Commission to remember that this area was considered the gateway  
2 to the downtown area. He further noted that the Commission needs to be aware that City Council  
3 recommended a Code revision to eliminate more permitted uses in the area along Main and Center  
4 Streets to preserve the area and increase tax revenue. Staff was working on that recommendation.  
5 He noted although used vehicle sales produce tax revenue, staff does not consider that use to be  
6 appropriate for the zone.

7  
8 There was discussion regarding the zone and its uses in relation to the Bus Rapid Transit (“BRT”)  
9 proposed routes. The Commission was advised that the route will cover State Street to North  
10 County Boulevard but bypass the main part of downtown. Director Cardenas referenced the  
11 footnotes in the staff report and stated that they pertain to areas and not uses. Director Cardenas  
12 was asked to again identify the specific location of the subject property. He commented that  
13 amending the City Code for something minor is difficult. Normally, such an amendment would  
14 involve a larger area and changes to the permitted use of a parcel are usually addressed by a  
15 variance. He identified various car dealerships in the area and indicated which are legal non-  
16 conforming and which are in different zones.

17  
18 Commissioner Patten asked why used vehicle lots were removed from the permitted uses in 2016.  
19 Director Cardenas stated that the intent was to honor the vision and promote walkability. He also  
20 noted that many of the zones allow vehicle sales including everything along State Street (excluding  
21 The Grove Zone). Commissioner Steele stated that they want the downtown area to be a larger  
22 and more viable commercial area. The area already has some expansion by including property to  
23 be used as the gateway to the City. The vision was to have shops, restaurants, and similar property  
24 to make the area thrive. The area is to be walkable with a distinctive look, which triggered the  
25 requirements for the “Turn of the 20<sup>th</sup> Century.” It was thought, if that vision could be  
26 accomplished, people would spend more time and money in that area. A car dealer did not fit into  
27 that vision.

28  
29 The applicant, Gary Taylor, reported that he was raised in Pleasant Grove and has owned the  
30 subject property for about 12 years. It is in the Downtown Village Zone because of its address on  
31 Main Street but has frontage on State Street. He indicated that the car dealership occupied that  
32 property years ago, which is why it was “grandfathered in.” A used car dealer is across the street.  
33 The property where vehicle dealers are not allowed was identified as a narrow strip of land at the  
34 intersection corner. He asked for an equitable opportunity for his business, which will not impact  
35 the downtown area. His perspective as a landowner was that the property is not ideal for a car  
36 dealership but for smaller businesses that wanted to set up a small dealership.

37 Mr. Taylor described the private parking to the side and back. It was reported that about 20  
38 vehicles can park comfortably in the back. The applicant identified the parking area. He stated  
39 that the potential tenant wants to sell high-end used vehicles.

40

1 Chair Martineau opened the public hearing. There were no public comments. The Chair closed  
2 the public hearing and invited the Commission to either continue the discussion regarding this item  
3 or he would entertain a motion if no further discussion was necessary.  
4

5 The Commissioners looked at the aerial map of the subject property regarding parking locations.  
6 Commissioner Steele stated he has served on the Planning Commission long enough to be present  
7 when permitted uses are limited, excluding car dealerships. He did not believe a car dealership  
8 would fit and noted the vision of what the area could be in the future and considered it a worthy  
9 goal. Although a car dealership would be acceptable currently, it is not compatible with the City's  
10 future vision. Commissioner Phillips recognized the goal of walkability and thought it might be a  
11 reality in 10 to 20 years. He, however, did not think this location along State Street would be an  
12 area where people going downtown will park and did not believe this project was close to the  
13 gateway area. Chair Martineau stated that it impedes the visibility of someone coming downtown.  
14

15 Commissioner Steele commented that at the time of the changes in permitted uses, they were  
16 working with students from Utah State University on the proposed vision. Part of that proposal  
17 included a large wrought-iron sign with theme-based structures resembling the downtown  
18 buildings. General discussion ensued regarding the vision's impact on future building, issues,  
19 owner rights, and various approaches pertaining to what would or could be done to make that  
20 vision a reality. It was noted that there are more car lots in Utah County per square mile than  
21 anywhere else in the U.S.  
22

23 Commissioner Shirley stated that allowing car dealerships in areas where they are not permitted is  
24 a move backward but the sales tax issue needs to be considered. Director Cardenas stated that  
25 there are plenty of areas beyond this one, where vehicle sales could be located. It was noted that  
26 if the Code were changed to allow vehicle sales, the City would have no control over what type of  
27 vehicles are sold.  
28

29 Director Cardenas reminded the Commission that the issue is whether to allow the uses to change  
30 in this location. Commissioner Steele offered a final point, that the property is visible from State  
31 Street but has a Main Street address. This makes it a zone where a used car dealership is not a  
32 permitted use.  
33

34 **MOTION:** Commissioner Steele moved that the Planning Commission forward a  
35 recommendation of DENIAL on the request of Gary Taylor for proposed amendments to City  
36 Code Section 10-11E-1-1, Table of Permitted, Conditional, and Accessory Uses for the Downtown  
37 Village Zone, based on the following finding:  
38

- 39 1. The proposed amended uses are not compatible with the City's vision for the future  
40 of the Downtown Village Zone.  
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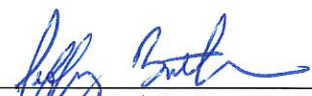
1 Commissioner Clyde seconded the motion. Vote on motion: Commissioner Shirley-Aye,  
2 Commissioner Clyde-Aye, Commissioner Steele-Aye, Commissioner Phillips-Nay,  
3 Commissioner Patten-Aye, Chair Martineau-Nay. The motion passed 4-to-2.

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5 Director Cardenas reported that the recommendation will go to City Council for a final decision.  
6 The matter was to be renoticed and likely be heard by the end of March.

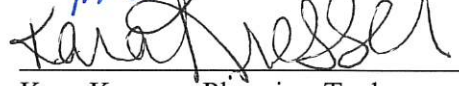
7  
8 **ITEM 6 – Review and Approve the Minutes from the February 24, 2022, Planning**  
9 **Commission Meeting.**

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11 **MOTION:** Commissioner Steele moved to approve the minutes of February 24, 2022, as printed.  
12 Commissioner Clyde seconded the motion. The Commissioners unanimously voted “Aye”. The  
13 motion carried.

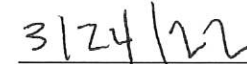
14  
15 **MOTION:** Commissioner Clyde moved to adjourn the meeting at 7:50 p.m. Commissioner  
16 Phillips seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

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20 Planning Commission Chair

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23 \_\_\_\_\_  
23 Kara Kresser, Planning Tech

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26 \_\_\_\_\_  
26 Date Approved