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3 PLEASANT GROVE CITY
4 PLANNING COMMISSION MEETING MINUTES
5 March 24, 2022

6
7 **PRESENT:** Chair Jeffrey Butler, Jim Martineau, Lindsey Hargett, Tim Clyde, Karla Patten, Todd
8 Fugal

9
10 **STAFF:** Daniel Cardenas, Community Development Director; Aaron Wilson, City Engineer;
11 Gary Thornton, Staff Engineer; Jacob Hawkins, City Planner; Kirsten Argall, Planning Tech; Kara
12 Kresser, Planning Assistant

13
14 **EXCUSED:** Dustin Phillips, Peter Steele, and Wendy Shirley

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16 Chair Jeffrey Butler called the meeting to order at 7:00 p.m.

17
18 **Commission Business:**

19
20 **1. Pledge of Allegiance and Opening Remarks:** Commissioner Karla Patten led the Pledge
21 of Allegiance. Commissioner Tim Clyde offered the opening remarks.

22
23 **2. Agenda Approval.**

24
25 Chair Butler stated that Items 2, 3, and 4 were continued to the next Planning Commission meeting
26 at the request of the applicant as of this morning.

- 27
28 • **MOTION:** Commissioner Todd Fugal moved to APPROVE the agenda as
29 modified by the Chair. Commissioner Clyde seconded the motion. The
30 Commissioners unanimously voted "Aye". The motion carried.

31
32 **3. Staff Reports:**

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34 Community Development Director, Daniel Cardenas, reported that the images on the staff reports
35 were not included. He would provide the images during his report.

- 1 • **MOTION:** Commissioner Martineau moved to APPROVE the Staff Reports with
2 the understanding that the images would be provided during the hearing and follow-
3 up would be done as needed. Commissioner Clyde seconded the motion. The
4 Commissioners unanimously voted "Aye". The motion carried.

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6 **4. Declaration of Conflicts and Abstentions from Commission Members.**

7
8 There were no declarations or abstentions.

9
10 **ITEM 1 - Public Hearing: Conditional Use Permit - Located at approximately 1555 North**
11 **100 East**

12 **(North Field Neighborhood)**

13 Public Hearing to Consider the Request of New Cingular Wireless PCS, LLC for a Conditional
14 Use Permit to Allow a New Commercial Tower/Antenna for Wireless Communications on City
15 Property (Manilla Park) located at approximately 1555 North 100 East Street, in the RR (Rural
16 Residential) Zone.

17
18 Director Cardenas presented the staff report and stated that the above matter was an application
19 for a cell telephone tower/antenna for commercial use. Using a zoning map and an aerial map, he
20 identified the area involved as Manilla Park, which is in a residential area. City Code provides
21 that antennas used for commercial purposes can only be placed in a commercial zone or a
22 residential zone if the use of the land is public or quasi-public. The subject antenna was proposed
23 to be placed on one of the light structures at the baseball field at Manilla Park, located at 1555
24 North 100 East Street. Because it was a residential quasi-public use, a Conditional Use Permit
25 was required.

26
27 Director Cardenas identified three conditions, set forth in the Code, that need to be met before
28 being permitted. The first condition pertained to setbacks. The antenna is required to be at least
29 125 feet from the closest residential zone or use. Using a map from the applicant, the closest
30 residential zone was determined to be approximately 250 feet. The second condition pertained to
31 the height of the antenna.

32
33 Director Cardenas advised the Commission that only the use of the land was being approved
34 tonight and not the site plan. He commented that staff would make sure the conditions were
35 properly applied to the site plan, which had been submitted and was being reviewed. A document
36 from the site plan showed the antenna height, measured from base to top, at 100 feet where the
37 pole ends. The Code allows the antenna height to be 150 feet in commercial zones and no more
38 than 100 feet in residential zones. There was a question about the height of the antenna. Staff
39 determined that the height of the lightning rod was not to be included in the total measurement.

40
41 After speaking with the City Attorney about the height issue, Director Cardenas advised the
42 applicant that regardless of how it was accomplished, the antenna height and steel monopole were

1 not to exceed the maximum height requirement. The third condition pertained to the type of
2 materials. The antenna needs to be either attached to an existing structure or a new infrastructure
3 needs to be provided. This proposal shows the antenna being attached to one of the baseball light
4 poles at the park. Using the aerial map, he identified two other antennas on the light poles in the
5 baseball park area. He also identified cabinets that were placed next to each antenna that are six
6 to eight feet tall. The proposed cabinet was to be 10 feet tall, per the site plan. City Code requires
7 the cabinets be obscured from sight.

8
9 Director Cardenas advised the Commission that it could place additional conditions if required and
10 reported that the Parks and Recreation Department provided the following three additional
11 recommendations:

- 12
- 13 • That visually obscuring fencing be used around the cabinet;
- 14 • That the access path from the road to the antenna be covered with geofabric at a minimum
15 of 150 feet; and
- 16 • Department personnel were to be present at the time of installation.
- 17

18 Last, Director Cardenas stated that there needs to be a Lease Agreement for the use of the land that
19 is to be signed by the City Council. That Lease Agreement was currently being prepared by staff
20 and the City Attorney and would be submitted to the City Council at the appropriate time.

21
22 Director Cardenas was asked about the obscuring fencing requirement, as the documents indicate
23 that chain-link fencing was anticipated. He responded that the fence was chain-link with slats,
24 which staff thought was an acceptable use. A comment was made that the proposed fencing slats
25 are 85 to 95 percent see-through which would not be acceptable. Director Cardenas commented
26 that the Commission could speak with the applicant about the issue if they want something
27 different. He stated that the concerns expressed pertained to vandalism if vinyl or concrete were
28 used, however, the Commission could choose something different if desired.

29
30 Commissioner Clyde asked whose responsibility it was to remove the equipment when the lease
31 ends. Director Cardenas stated that it is the contractor's responsibility as set forth in the Code.
32 Concern was raised regarding whether the area space to be fenced was too large. Director
33 Cardenas agreed to check on the matter and report back. Commissioner Clyde asked for
34 clarification as to whether the Code addresses the height of the fence or if the cabinet needs to be
35 obscured by the fence. Director Cardenas stated that there was no Code provision for the height
36 of the fence but he had spoken with the City Attorney regarding the difficulty of obscuring the
37 cabinet as it is four feet taller than the proposed fencing height. That issue needed to be discussed
38 with the applicant.

39
40 There was discussion regarding relative fencing materials. It was noted that the baseball field
41 currently has black vinyl-coated chain link fencing. Director Cardenas identified on the map the
42 area to be fenced. In reporting back from the earlier discussion, stated that the staff conditions in

1 the staff report regarding the area to be fenced was related to another matter. The
2 recommendations for this project were what was described in his presentation. There was general
3 discussion regarding the purposes of the materials to be used on the access path to protect the grass.
4 The materials used were to be permanent.

5
6 The applicant, Richard Lee from K5 Infrastructure Partners stated that the footprint of the ground
7 cabinet is 10' x 10'. The height of the cabinet is not 10 feet. The current proposed footprint was
8 25' x 30' with a six-foot chain-link fence. He reported that if the Planning Commission wants
9 something other than chain-link, they were not averse to that. They have used other materials in
10 other locations. They wanted the project to work for the City. He stated that the tip of the antenna
11 measures 102 feet but they would trim the tip to make sure that what is in place does not exceed
12 the 100-foot height limitation. They planned to use TrueGrid pavers on the access path, which
13 allows someone to drive over it without damaging the lawn. The other two antenna sites at the
14 ballpark have used the same product.

15
16 Chair Butler asked Mr. Lee to clarify the height of the cabinet. Mr. Lee stated that the base
17 measurements are 10' x 10' but the height is under six feet. The cabinet will not be visible above
18 the fence. The applicant had been told that in the past, a carrier had taken the antenna and the light
19 pole down right before a major tournament, which caused great consternation. He described their
20 procedure to remove antennas as the "drop and swap" method, where the new pole is placed to the
21 right of the existing pole. It is operational before the old pole comes down. The lighting on the
22 pole is done in such a manner that it retains the original lighting pattern.

23
24 Commissioner Clyde asked if the obscuring fence connects to the field fence or if they were
25 separate. Mr. Lee did not have an answer. There was general discussion about fencing materials,
26 barbed wire, and related safety concerns. Mr. Lee stated that the company may need to add a slight
27 buffer between the two fences for the sake of safety. There was general discussion about the use
28 of barbed wire fencing, vandalism, and products. It was agreed that the visual obscuring material
29 should have 95% blockage.

30
31 When asked how long the project would take to build, the applicant stated that the normal
32 construction time is 30 days, however, the conditions set forth in the lease needed made delays
33 possible given the current issues with the supply chain. When asked how long the antenna would
34 be present, the applicant stated that the lease is usually five years, with five-year options up to 30
35 years. He noted that one of the issues sometimes raised during lease discussions was to provide
36 additional space in the garage component to allow access to other carriers. Some cities have
37 allowed taller buildings to create this additional space.

38
39 Director Cardenas presented an image of the proposed cabinet drawing showing that the cabinet is
40 10 feet tall. He suggested that the height of the cabinet be identified in the recommendations as
41 six feet; or, according to the City Attorney, or addressed in the Lease Agreement. Mr. Lee reported
42 that he was texting the company to confirm that the cabinet is not to be 10 feet tall.

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

5
6 There was discussion about the required fencing materials.
7

8 **MOTION:** Commissioner Fugal moved that the Planning Commission recommend APPROVAL
9 of the request of New Cingular Wireless PCS, LLC for a Conditional Use Permit to allow a new
10 Commercial Tower/Antenna for Wireless Communications on City Property (Manilla Park)
11 located at approximately 1555 North 100 East Street, in the RR (Rural Residential) Zone, and
12 adopting the exhibits, conditions, and finding of the staff report, and as modified by the conditions
13 below:
14

- 15 1. Installation of a view obscuring fence with an obscuring rating of at least 95
16 percent.
- 17 2. Geofabric is installed along the access path.
- 18 3. Parks and Recreation Department staff are present at the time of installation.
19
- 20 4. A finalized, and approved Lease Agreement is signed by the City Council.
21
- 22 5. The cabinet height is addressed during the Lease Agreement process, with the
23 height of the cabinet not higher than the fence.
24
- 25 6. All Final Planning, Engineering, and Fire Department requirements are met.
26
27
28

29 Commissioner Clyde seconded the motion. The Commissioners unanimously voted "Aye". The
30 motion carried.
31

32 **ITEM 2 – Public Hearing: Preliminary Subdivision Plat - Located at approximately 392**
33 **East State Street**
34 **(String Town Neighborhood)**

35 Public Hearing to Consider the Request of Joe Salisbury for a Two-Lot Preliminary Subdivision
36 Plat totaling approximately 7.18 acres, called Village Square Subdivision Plat 'A,' on property
37 located at approximately 392 East State Street, in the CS-2 (Commercial Sales-2) Zone.
38

39 The above item was continued to the next Planning Commission meeting at the applicant's request.
40

1 **ITEM 3 – Public Hearing: Conditional Use Permit - Located at approximately 392 East**
2 **State Street**
3 **(String Town Neighborhood)**

4 Public Hearing to Consider the Request of Joe Salisbury for a Conditional Use Permit to allow 83
5 Residential Units (Use # 1151) on property located at approximately 392 East State Street, in the
6 CS-2 (Commercial Sales-2) Zone.

7
8 The above item was continued to the next Planning Commission meeting at the applicant’s request.

9
10 **ITEM 4 – Public Hearing: Site Plan - Located at approximately 392 East State Street**
11 **(String Town Neighborhood)**

12 Public Hearing to consider a request of Joe Salisbury for a site plan for 11 multi-family residential
13 buildings containing 83 total units, on property located at approximately 392 E State Street, in the
14 CS-2 (Commercial Sales-2) Zone.

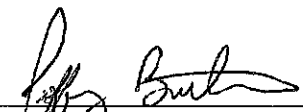
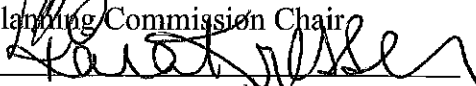
15
16 The above item was continued to the next Planning Commission meeting at the applicant’s request.

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18 **ITEM 5 – Review and Approve the Minutes from the March 10, 2022, Planning Commission**
19 **Meeting.**

20
21 **MOTION:** Commissioner Martineau moved to APPROVE the minutes of March 10, 2022, as
22 printed. Commissioner Fugal seconded the motion. The Commissioners unanimously voted
23 “Aye”. The motion carried.

24
25 Director Cardenas introduced New City Planner, Jacob Hawkins, and stated that the New Permit
26 Technician would be introduced at the next meeting. He informed the Commission that because
27 they are appointed and not elected, they are not to have discussions outside of Planning
28 Commission Meetings with any applicant regarding a project to come before them. If it were to
29 occur, the Commissioner involved would have to recuse him or herself from the discussion at the
30 meeting. The better response to any discussion was to direct the person to staff.

31
32 **MOTION:** Commissioner Martineau moved to ADJOURN the meeting at 7:50 p.m.
33 Commissioner Clyde seconded the motion. The Commissioners unanimously voted “Aye”. The
34 motion carried.

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40 Kara Kresser, Planning Tech
41 April 14, 2022
42 Date Approved