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3 PLEASANT GROVE CITY
4 PLANNING COMMISSION MEETING MINUTES
5 April 14, 2022

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7 **PRESENT:** Chair Jeffrey Butler, Jim Martineau, Lindsey Hargett, Todd Fugal, Dustin Phillips,
8 Peter Steele, Wendy Shirley

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

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13 **EXCUSED:** Tim Clyde and Karla Patten

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

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17 **Commission Business:**

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

21
22 **2. Agenda Approval.**

23
24 Chair Butler announced that Item 2 was continued at the request of staff to April 28, 2022, with
25 notice to be sent to the neighborhood. Items 5, 6, and 7 were continued to April 28, 2022, as the
26 applicant was not prepared to go forward at this meeting. Public notice would also be sent
27 regarding the continuance.

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

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33 **3. Staff Reports:**

- 34
35 • **MOTION:** Commissioner Jim Martineau moved to APPROVE the Staff Reports.
36 Commissioner Steele seconded the motion. The Commissioners unanimously
37 voted "Aye". The motion carried.

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

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3 There were no declarations or abstentions.

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5 **ITEM 1 - Public Hearing: Rezone - Located at 672 West 220 South.**
6 **(Sam White's Lane Neighborhood)**

7 Public Hearing to Consider the Request of J D Brisk to Apply the General Commercial Zone (C-G)
8 to approximately 0.90 acres of Property Zoned The Grove – Mixed Housing (GRV-MH), located
9 at 672 West 220 South.

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11 City Planner, Jacob Hawkins presented the staff report and stated that the above matter involved a
12 request for the rezoning of 0.90 acres of property from The Grove – Mixed Housing (GRV-MH)
13 Subdistrict Zone to the General Commercial Zone (C-G). Using an aerial map, he identified the
14 subject property, which is just north of 220 South and west of State Street. It is surrounded by
15 residences to the west and north, self-storage units to the east, and a business park with warehouses
16 to the south. The current zoning of the property was primarily mixed housing, but a section along
17 the east side is zoned C-G. A Senior Housing overlay over significant portions of the property
18 was also identified.

19
20 Planner Hawkins provided additional photos to give further context to the surroundings and
21 existing conditions. He noted that the subject property was being used as an RV storage facility
22 and a health and wellness center, which are permitted uses under the current zoning. Planner
23 Hawkins reported that the purposes of the rezone were to allow the applicant to “clean up” the
24 zoning and to allow for fewer restrictions regarding permitted uses for both the applicant and
25 whoever might purchase the property in the future. He specifically indicated that the C-G zone
26 does not allow residences.

27
28 The subject property was designated as The Grove – Mixed Housing (GRV-MH) in the General
29 Plan update of 2007. The stated goals at the time were to create attractive commercial areas and
30 provide for a mix of land uses. By rezoning, the land uses would shift to allow other uses that
31 could meet the shopping and service needs of the community. The property to the east and south
32 was noted to have similar or more intense uses than the subject property. The rezone would further
33 serve as a buffer between nearby manufacturing uses and residential areas. Planner Hawkins
34 reported that 220 South was designated as an arterial road in the 2040 Roadway Master Plan, which
35 meant it would have higher traffic use and provide convenient access to State Street without having
36 to pass through residential areas. Staff recommended approval of the zone change.

37
38 Chair Butler opened the public hearing.

39
40 *Denise Roberts* reported that she was interested in what the rezoning would allow for on the
41 neighboring property. She stated that in the past people lived on the second floor of the nearby
42 building. She asked if such activity would be allowed in the future. She also was concerned about

1 the disruptions from future work or increased noise. Community Development Director, Daniel
2 Cardenas, stated that the person living in that nearby building is not a permitted use. Once notified
3 of that occurrence, Code Enforcement would take the appropriate steps to stop that activity. He
4 explained that whenever such a violation is observed, Code Enforcement should be contacted.
5 Concerning possible changes to the property, Director Cardenas further stated that the property
6 would be commercial uses instead of mixed housing and residences would not be allowed. For
7 clarification, he defined mixed housing to mean different types of housing such as single-family,
8 condominiums, and apartments and not a mix of residences and commercial businesses.

9
10 Chair Butler noted that the building she was concerned about was built before the current zone
11 was adopted, including the senior housing overlay, and was grandfathered in as a non-conforming
12 permitted use. In response to Ms. Roberts' concern about what might be developed on the
13 property, Commissioner Steele stated that a list of permitted uses in the C-G Zone is available for
14 review. With regard to her concern about having input on what might be built next door, Chair
15 Butler stated that the impact on neighborhoods is part of the discussion when developments are
16 considered. The new zone would serve as a buffer between the residences and manufacturing.

17
18 *Brian Roberts*, wanted to know what will happen with that property in the future. He
19 acknowledged that it is important to understand what is on the list of permitted uses but was
20 concerned about a use such as a nightclub. Chair Butler stated that any business will require
21 licensure. Input could be given at that time.

22
23 Director Cardenas noted that if excessive noise or a nuisance caused by a business becomes a
24 problem, there are remedies for the neighbors. He stated that Code Enforcement should be notified
25 so that the issue can be remedied. Chair Butler added that businesses must comply with the City's
26 noise ordinance and requirements for lighting. Mr. Roberts also wanted to know how accurate the
27 east line is on the zoning map since a portion of his property appeared to be in the C-G Zone.
28 Director Cardenas stated that the lines were not precise. The rule-of-thumb was that the applicable
29 zone is whatever covers the majority of the property.

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

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35 **MOTION:** Commissioner Martineau moved that the Planning Commission forward a
36 recommendation of APPROVAL to the City Council for the request of J D Brisk for the rezone of
37 approximately 0.90 acres located at 672 West 220 South from The Grove-Mixed Housing
38 Subdistrict Zone to The Commercial General (C-G) Zone; and adopt the exhibits, conditions, and
39 findings of the staff report. Commissioner Lindsey Hargett seconded the motion. The
40 Commissioners unanimously voted "Aye". The motion carried.

1 **ITEM 2 – Public Hearing: Rezone – Located at approximately North of Garden Drive and**
2 **West of 600 West**
3 **(Mud Hole Neighborhood)**

4 Public Hearing to Consider the Request of Pleasant Grove City to Remove the Senior Housing
5 Overlay (SHO) on approximately 2.60 Acres of Property Zoned Neighborhood Commercial (C-N),
6 approximately located North of Garden Drive and West of 600 West.

7 *****CONTINUED TO 4/28/22*****

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9 **ITEM 3 – Public Hearing: Preliminary Subdivision Plat - Located at approximately 2150**
10 **North 270 East.**
11 **(Big Spring Neighborhood)**

12 Public Hearing to Consider the Request of Amplify Worx LLC for a 2-lot Preliminary Subdivision
13 Plat, Called Sunny Cove Estates Plat ‘B’ on 12.15 acres, approximately located at 2150 North 270
14 East in the R1-20 (Single Family Residential) Zone.

15
16 Planner Hawkins presented the staff report and stated that the above matter involves a request for
17 approval of a preliminary subdivision plat on property located in the northeast portion of the City.
18 The plat was described as 12.15 acres consisting of two lots and one parcel. Using a property
19 zoning map and property aerial map, Planner Hawkins identified the two lots located on the left
20 side of the page (or the north side of the property). He noted that a majority of the proposed plat
21 was cited previously as a portion of Sunny Cove Estates Plat ‘A’ that included the properties to
22 the west. The original Plat ‘A’ included two 50-foot canal easements passing through the property
23 making the land surrounding the easements unbuildable, as the canal companies had not approved
24 any ingress or egress across the easements. Planner Hawkins stated that the applicant was seeking
25 to create a new Plat ‘B’ by splitting off the two identified lots, which have buildable space that is
26 not impacted by the easements and would allow development to go forward. Parcel A was to be
27 held separately until permission was granted to cross the easements.

28
29 Planner Hawkins identified the two new lots for Plat ‘B’ as Lots 8 and 9. Each met the
30 requirements for the area, frontage, and width of the R1-20 zone. Lot 9 split the property nearly
31 in half, although the buildable portion still met the required provisions. Most of the street
32 improvements for the property were already in place as they were installed by Sunny Cove Estates
33 Plat A. He noted that the request involved rearranging property lines. Staff recommended
34 approval of the proposed preliminary subdivision plat with the conditions set forth in the Staff
35 Report.

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37 Commissioner Shirley asked if the applicant had obtained permission from the canal companies.
38 Planner Hawkins stated that although the canal easements split much of the property, most of the
39 easements were in Parcel ‘A.’ He noted that the presence of the easements, to date, has held up
40 any building since permission to cross over the easements had not yet been granted by the canal
41 companies. The buildable portions of Lots 8 and 9, however, were not affected by the canal
42 easements and do not require any cross-over permission.

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2 Commissioner Shirley asked if the canals were used. City Engineer, Aaron Wilson, stated that the
3 aqueduct was used to take water to Salt Lake City. He reported that there are very specific
4 requirements regarding work pertaining to or affecting the easements, however, because the
5 easements do not impact Lots 8 or 9, there was no concern. Commissioner Shirley raised a concern
6 about potential City liability in the event of a disaster. Engineer Wilson pointed out that building
7 is allowed in the zone and the original plat was previously approved by this body. The difficulty
8 related to the applicant being delayed in getting approval from the canal companies.

9
10 The applicant, James Hancock, was present representing Amplify Worx, LLC. He reported that
11 they received final plat approval for the seven lots last March. He described the general path of
12 the easements and noted that when discussing crossing over easements, it usually pertains to utility
13 pipes such as water, sewer, power, and gas. They were required to enter into a Licensing
14 Agreement with Provo River water users, which has a 10-foot pipe. The Jordan Valley Aqueduct
15 has two pipes. As engineering had to make sure there was adequate clearance for any cross-over
16 pipe, he noted that the process has taken a very long time. Although they were close to an
17 agreement, they were not fully there. He emphasized that the two lots do not have to cross over
18 an easement to make the utility connections or provide access. He explained that the canal
19 companies still had to sign off on the plat because the easements are located on the property, which
20 was not an issue for them. The applicant stated that the proposed change would allow the project
21 to be completed in phases. He noted that the asphalt roads, sidewalks, and gutters are already in
22 place.

23
24 Chair Butler asked how deep the canal pipes were placed. Mr. Hancock stated that the range of
25 placement is nine to 14 feet deep. There was discussion regarding the water transport pipes and
26 the placement of utility pipes. It was noted that the utility pipes would be placed well above the
27 depth of the canal pipes. Mr. Hancock further stated that he would be responsible for placing all
28 of the crossing pipes across the easement.

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

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34 **MOTION:** Commissioner Steele moved that the Planning Commission forward a positive
35 recommendation of APPROVAL for the request of Amplify Worx LLC for a subdivision plat
36 called Sunny Cove Estates Plat 'B,' on property located at approximately 2150 North 270 East in
37 the R1-20 (Single Family Residential) Zone; and adopting the exhibits, conditions, and findings
38 of the staff report, and as modified by the conditions below:

- 39
40 1. All Final Planning, Engineering, and Fire Department requirements are met.
41

1 Commissioner Todd Fugal seconded the motion. The Commissioners unanimously voted "Aye".
2 The motion carried.

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4 **ITEM 4 – Public Hearing: Preliminary Subdivision Plat - Located at approximately 2150**
5 **North 270 East**
6 **(Big Spring Neighborhood)**

7 Public Hearing to Consider the Request of Amplify Worx, LLC for a Five-Lot Preliminary
8 Subdivision Plat, called Sunny Cove Estates Plat 'C' on 8.79 acres, approximately located north
9 of 2150 North and East of 270 East in the R1-20 (Single-Family Residential) Zone.

10
11 Planner Hawkins presented the staff report and stated that the above matter involved a request for
12 approval of a preliminary subdivision. The proposed plat represents the subdivision of Parcel A
13 of Plat B just discussed. It was being separated from the two Plat B lots for work to begin on the
14 buildable lots while waiting for approval from the canal companies to build on the five-lot plat.
15 Planner Hawkins stated that no building can occur on Parcel A until permission to cross over the
16 canal easements is granted. Each of the five lots was determined to meet the minimum
17 requirements for residential lots in the R1-20 Zone. Like Plat B, the improvements were already
18 in place. He reiterate that the request was to rearrange the property lines. Staff recommended
19 approval subject to the conditions set forth in the Staff Report.

20
21 Chair Butler opened the public hearing. There were no public comments. The Chair closed the
22 public hearing and invited the Commission to either continue the discussion regarding this item or
23 he would entertain a motion if no further discussion was necessary.

24
25 **MOTION:** Commissioner Fugal moved Planning Commission forward a positive
26 recommendation of APPROVAL for the request of Amplify Worx for a subdivision plat called
27 Sunny Cove Estates Plat 'C,' on property located at approximately 2150 North 270 East in the R1-
28 20 (Single Family Residential) Zone; and adopting the exhibits, conditions, and findings of the
29 staff report, and as modified by the conditions below:

- 30
31 1. All Final Planning, Engineering, and Fire Department requirements are met.

32
33 Commissioner Phillips seconded the motion. The Commissioners unanimously voted "Aye". The
34 motion carried.

35
36 **ITEM 5 – Public Hearing: Preliminary Subdivision Plat - Located at approximately 392**
37 **East State Street**
38 **(String Town Neighborhood)**

39 Public Hearing to Consider the Request of Joe Salisbury for a Two-Lot Preliminary Subdivision
40 Plat Totaling approximately 7.18 Acres, called Village Square Subdivision Plat 'A,' on Property
41 located at approximately 392 East State Street, in the CS-2 (Commercial Sales-2) Zone.

42 ****CONTINUED TO 4/28/2022****

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ITEM 6 – Public Hearing: Conditional Use Permit - Located at approximately 392 East State Street

(String Town Neighborhood)

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

****CONTINUED TO 4/28/2022****

ITEM 7 – Public Hearing: Site Plan - Located at approximately 392 East State Street
(String Town Neighborhood)

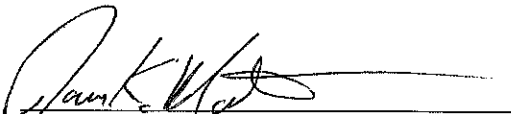
Public Hearing to Consider a Request of Joe Salisbury for a Site Plan for 11 Multi-Family Residential Buildings Containing 83 Total Units, on property located at approximately 392 East State Street, in the CS-2 (Commercial Sales-2) Zone

****CONTINUED TO 4/28/2022****

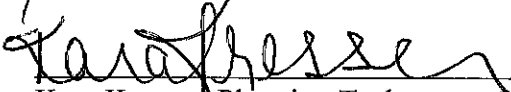
ITEM 8 – Review and Approve the Minutes from the March 24, 2022, Planning Commission Meeting.

MOTION: Commissioner Fugal moved to APPROVE the minutes of March 24, 2022, as printed. Commissioner Martineau seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

MOTION: Commissioner Steele moved to ADJOURN the meeting at 7:36 p.m. Commissioner Phillips seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.



Planning Commission Chair



Kara Kresser, Planning Tech

April 29, 2022

Date Approved