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2
3 PLEASANT GROVE CITY
4 PLANNING COMMISSION MEETING MINUTES
5 July 28, 2022
6

7 **PRESENT:** Chair Jeffrey Butler, Jim Martineau, Tim Clyde, Karla Patten
8

9 **STAFF:** Daniel Cardenas, Community Development Director; Jacob Hawkins, City Planner;
10 Kara Kresser, Planning Assistant; Kirsten Haggard, Planning Tech
11

12 **EXCUSED:** Dustin Phillips, Todd Fugal, Wendy Shirley, Lindsey Hargett, Peter Steele, and City
13 Engineer Aaron Wilson.
14

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

17 **Commission Business:**
18

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

22 **2. Agenda Approval.**
23

- 24 • **MOTION:** Commissioner Jim Martineau moved to APPROVE the agenda with
25 the continuation of Item 2. Commissioner Patten seconded the motion. The
26 Commissioners unanimously voted “Aye”. The motion carried.
27

28 **3. Staff Reports:**
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- 30 • **MOTION:** Commissioner Clyde moved to APPROVE the Staff Reports for July
31 28, 2022. Commissioner Martineau seconded the motion. The Commissioners
32 unanimously voted “Aye”. The motion carried.
33

34 **4. Declaration of Conflicts and Abstentions from Commission Members.**
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36 There were no declarations or abstentions.
37

1 **ITEM 1 – Public Hearing: Conditional Use Permit Amendment–Located at 225 West 700**
2 **South.**
3 **(Sam White’s Lane Neighborhood)**

4 Public Hearing to Consider the Request of Ace Intermountain Recycling Center to Amend the
5 Provisions of an Existing Conditional Use Permit, located at 225 West 700 South in the
6 Manufacturing Distribution (M-D) Zone.
7

8 Community Development Director, Daniel Cardenas, presented the staff report and stated that both
9 he and City Planner, Jacob Hawkins, would address the item. On a Zoning Map, Director Cardenas
10 stated that Pleasant Grove City does not have the luxury of having long frontages along I-15.
11 Rather, he identified the one mile of frontage that is available in the City. He stated that when
12 working on developing the General Plan, there was a clear distinction between the area north of
13 State Street, which contains the downtown area, and single-family housing. The area to the south
14 and west contained commercial spaces and The Grove. Other cities because of their frontage
15 access put their industrial zones along I-15. Pleasant Grove is lacking that frontage and put the
16 Manufacturing Distribution (“M-D”) Zone along its boundaries. That area is a natural fit and is
17 buffered by the commercial uses along State Street and the residential properties. He noted that
18 this configuration of the M-D Zone is the natural outcome of the development process and the
19 development decisions made were the best with the conditions given.
20

21 Director Cardenas reported that they placed the most intense uses in the M-D Zone. He stated that
22 in 2019, Ace Intermountain Recycling Center approached the City to request a transfer station. At
23 that time, the use was permitted in the zone as a conditional use. Their request was granted as an
24 administrative action for a conditional use with 20 specific conditions. He noted that those 20
25 conditions were included in the current staff report.
26

27 Director Cardenas indicated that at that time, the applicant requested that they be allowed to receive
28 and process 1,000 tons of waste daily. The Planning Commission instead allowed 700 tons and
29 indicated that the issue could be revisited in one year if deemed inadequate. Director Cardenas
30 stated that he has been to this facility on multiple occasions and found that the applicant had met
31 all of the conditions. He further stated that all of the activity from the transfer station is confined
32 to Building 4. Thereafter, Director Cardenas stated that, by legislative action, the City Council,
33 on the recommendation of the Planning Commission, determined that the transfer station use was
34 not fit and no longer allowed in the zone. Because it was already an established legal business it
35 was identified as a legal non-conforming use. The applicant is now proposing to amend two of
36 the conditions. He would like to increase the daily tonnage received and processed and store
37 preloaded trucks on the property overnight. Director Cardenas stated that the general conditions
38 that apply to the Conditional Use Permit were reviewed by staff and found to have been met. He
39 also noted that the Commissioners were provided with an e-mail from the Mayor of Lindon City,
40 who as a concerned citizen, expressed concerns and asked that the issue be addressed.
41

1 City Planner, Jacob Hawkins, stated that he would refer to the applicant, Ace Intermountain
2 Recycling Center as "Ace Recycling." He confirmed that shortly after being approved, the transfer
3 station use was removed as an approved use from the area. Since then, the business has continued.
4 He addressed the following two conditions that the applicant was seeking to amend:

- 5
6 1. Condition 9 provides that the amount of waste received and/or processed per day
7 shall not exceed 700 tons.
- 8
9 2. Condition 5 requires that no municipal solid waste shall be stored on the property
10 overnight. Planner Hawkins stated that the applicant wants to increase the daily
11 amount of tonnage by 300 tons and to be allowed to preload trucks and store them
12 on the property overnight.

13
14 Planner Hawkins stated when the Conditional Use Permit was first addressed, one concern
15 regarding the amount of waste to be received and processed was the impact the use would have on
16 the surrounding properties. He noted that the thought was that if left unchecked, negative
17 nuisances involving odor, noise, and traffic could arise. As the City has continued to grow, he
18 stated that the demand for waste removal and processing increased. Because of the geographical
19 constraints of the City and the small amount of interstate frontage space available, a new location
20 for a transfer station was unlikely to address the increase. It was unknown what the applicant
21 envisioned or wanted to do.

22
23 In terms of operation, Planner Hawkins reported that Condition 18 provides that all transfer station
24 activities are to occur only in Building 4, which will limit all municipal solid waste and
25 construction and demolition waste to a single location. That condition was thought to make it
26 easier to control the cleanliness of the property and reduce the noise and odor from the waste. At
27 the time, it was thought that enacting Condition 9 would limit the tonnage to receive and process
28 resulting in less impact on the public rights-of-way. He commented that the thought remained
29 viable, however, with the increase in population and the amount of waste produced, an increase in
30 tonnage was necessary. To maintain control over noise and traffic, staff recommended an increase
31 of 150 additional tons daily instead of the 300 tons requested. Staff thought that amount could be
32 increased in a year on evaluation with the understanding that the weight requested could not exceed
33 1,000 tons.

34
35 Planner Hawkins stated that the applicant was also requesting to store four covered preloaded
36 trucks in their building on the property overnight. The intent was to leave first thing in the morning
37 and make the process quicker and cleaner. He noted that a picture of the cover truck was located
38 on the last page of the packet. Staff recommended approval with the conditions that a maximum
39 of four trucks be stored overnight in the building, fully tarped, with the bays closed, and without
40 any excessive noise. Additionally, staff recommended that the Public Works Department revise
41 the required payments to the City for traffic impact on the roads and reassess the impact of the
42 increased tonnage on the road.

1 Director Cardenas displayed an aerial image and reviewed the precise location of Building 4 and
2 stated that the trucks if allowed, would be within that building. He was aware of one call from the
3 Public Works Department about the smell. He and a Code Enforcement Officer responded but
4 were unable to locate any odors. He noted that the setback from a designated property line he
5 identified was 750 feet. He noted a gravel business nearby between the transfer station and the
6 property line and stated that some trees that were to be planted in a specific area were put in a
7 different location based on the requirements of department officials.

8
9 There was discussion about linear measurements with neighboring properties and issues pertaining
10 to 700 South. When asked how far the Public Works property was from the transfer station
11 building, he stated that he would provide that. He then stated that it was about 60 feet. Chair
12 Butler asked about other complaints or public comments. Other than the one complaint described,
13 Director Cardenas was not aware of any other complaints or public comments regarding noise,
14 odor, or traffic. It was noted that in addition to the two rows of trees on the south end, there was
15 a standing eight-foot fence along the back of the property and along the train track, which was
16 composed of chain link and slats with 95% sight-obscuring. Upon questioning, Director Cardenas
17 stated that on all his visits, he did not notice any garbage along the roadway. He did point to some
18 non-public areas where he had seen some trash. He stated that the site, by Condition 3, had to be
19 cleaned daily. He also was asked for more detail on 700 and the impact on the roadway. He stated
20 that initially, the discussion involved the impact of 700 tons on the roadway. In discussing the
21 matter with Public Works Director, Neal Winterton, it was noted that there would be increased
22 activity which would require a recalculation and reassessment. As engineering staff was not
23 present at this meeting, there was no information about whether the one and one-half-inch overlay
24 on 700 South was sufficient for heavier traffic.

25
26 The applicant, Walt Richards, identified himself as the President of Ace Intermountain Recycling
27 and stated that since acquiring the property, they have worked diligently with both the City and
28 Public Works Department to upgrade the entire parcel. They serve as the property manager for
29 the multiple businesses on site with 66 employees at Ace Intermountain Recycling. He indicated
30 that they have tried to be a good neighbor and respond to and work with their neighbors.

31
32 Chair Butler asked Mr. Richards to describe the business activities and what defines solid waste.
33 Mr. Richards responded that all of their activities take place in Building 4. One area of the building
34 is dedicated to recycling from multiple entities, including Pleasant Grove City. The material is
35 taken to Waste Management in Salt Lake City or Rocky Mountain Recycling. They receive and
36 process what is defined as classical Municipal Solid Waste ("MSW"), which is commercial waste
37 from businesses, offices, schools, and other non-residential waste. They take smaller loads of
38 consolidated waste to landfills or other receiving areas. They only accept commercial waste from
39 businesses or offices in Pleasant Grove. They do not handle any Pleasant Grove residential waste.

40
41 When asked about the percentage of waste they handle from Pleasant Grove, Mr. Richards stated
42 that there would have to be a comparison of the areas where they pick up in Pleasant Grove with

1 areas of pickup in other municipalities to determine that percentage. He agreed, upon questioning,
2 that growth increases are a County-wide issue and not limited only to Pleasant Grove City.
3 Overall, and not considering the recyclables, Mr. Richards stated that about two-thirds of the waste
4 is MSW, which is considered "wet". One-third is construction waste. Commissioner Martineau
5 commented that wet waste causes more issues. There was a discussion about types of waste and
6 the design of Building 4. Mr. Richards stated that because of the floor construction of Building 4,
7 no liquid can escape.

8
9 Commissioner Clyde asked about the company's process in terms of truck usage. Mr. Richards
10 stated that the process involves both receiving and sending waste out. The larger trucks can carry
11 30 tons. The inbound trucks are smaller and number around 75. Travel routes were briefly
12 discussed. Chair Butler asked the applicant to clarify what was meant by the staff analysis that
13 addressed an inherent increase in demand waste because of the increased population. If it cannot
14 be handled, it was likely that other locations might be used. The applicant stated that he thought
15 what was meant was that if Ace is not able to keep up with the increased waste, particularly in
16 Northern Utah County, the excess will be sent to the North Point Special Services Facility. He
17 noted that the facility is in the process of evaluating whether it needs an additional facility. Mr.
18 Richards stated that they want to take care of the expanding growth themselves. They do own
19 other facilities in Salt Lake City and Heber that they operate as Intermountain Regional Landfill
20 and Ace Disposal.

21
22 There was specific questioning about the four trucks. The applicant stated that they try to get the
23 trucks out early. He estimated that the last loaded truck of the day would be the first one to go out
24 at 3:00 a.m. to reduce the impact on traffic. When asked about odor, he noted that the odor comes
25 from the type of waste that is coming in. Odor from the outgoing trucks is minimal and when they
26 are moved more rapidly there is less odor. When asked about how they felt about the tonnage
27 increase recommended by staff, Mr. Richards stated that the increased amount is not ideal but they
28 understood the reasoning. They would like the opportunity to prove themselves to be a good
29 neighbor and continue to do business with Pleasant Grove. When asked if they had looked for
30 other areas of growth, Mr. Richards stated that they looked before they purchased this property.
31 He stressed their commitment to this property.

32
33 Director Cardenas was asked about the basis for the tonnage being limited to 150 tons. He
34 indicated that that amount represents a 42% increase, which is significant. He stated that they
35 want the business to keep up its end of the agreement, which can be documented.

36
37 Chair Butler opened the public hearing:

38
39 Chair Butler first addressed the letter from Lindon City Mayor, Carolyn Lundberg, and wanted to
40 get the applicant's input on the concerns identified. It was noted that she attended the meeting
41 about this in prior years. Chair Butler stated that the concern expressed pertained to the impact of
42 Pleasant Grove's Manufacturing Distributing ("M-D") Zone, as they want to create a City Center

1 south of the applicant's property. The concerns expressed in the e-mail included noise, traffic,
2 dust, potentially loose debris, and odor. Mayor Lundberg indicated that such an impact is not a
3 good fit for the businesses they want to attract. Chair Butler stated that the Planning Commission
4 was asked to request that any industrial user, including Ace, construct an eight-foot masonry wall,
5 as her city requires such a standard mitigation requirement.

6
7 Chair Butler asked Mr. Richards about the request for a masonry wall to the south at the Lindon
8 City border. Mr. Richards stated that it would be a matter of aesthetics and not functionality, as
9 there is a fence there that controls windblown trash. He noted that it would be a costly undertaking
10 to construct a masonry fence along the entire south property line. He would have no objection if
11 the developer on the other side of the fence were inclined to construct such a wall. One of the
12 Commissioners mentioned that there is a lot of space between the transfer station and the property
13 line and another business between his business and the property line that moves aggregate. The
14 applicant stated that their work is primarily done indoors and they have not had a problem with
15 blowing trash. It was noted that Lindon City was asking for a 12-foot wall where the Code for
16 both cities is seven feet.

17
18 *Michael Goodly* was present representing the sellers of the property to the south on the boundary
19 line with Lindon City. He asked if the action taken by the Commission was the final step or if this
20 action was a recommendation. He was advised that this is an administrative action and the final
21 step in the process. Mr. Goodly acknowledged that the area in Lindon is currently vacant but there
22 are several people, either under contract or considering residential units or restaurants, who are
23 getting scared. He acknowledged that currently no complaints have been received regarding the
24 impact of the business. He acknowledged that their reputation is good but indicated that there
25 could be complaints in the future. Chair Butler stated that there was no public record of smell or
26 waste blowing around. Mr. Goodly stated the bigger complaint pertains to additional large truck
27 traffic. He did not know if there was a way to manage or control that. Director Cardenas stated
28 that the use is a conditional use and the conditions must be met. If they are not, the matter will
29 come back to the Planning Commission.

30
31 Director Cardenas asked the applicant to speak about the mitigation systems that are in place.
32 Mr. Richards stated that they are required to control odors, pathogens, rodents, and insects. They
33 report to environmental agencies regularly and they have not had any problems. He further noted
34 that they have a misting system for construction demolition work. They routinely do research and
35 attend technology conferences to make sure their practices are up to date. They also have an odor
36 mitigation system that binds the odor particles. They maintain the cleanliness of the building at a
37 cost of \$800,000 per year and do regular street sweeping. They want to be good neighbors and
38 they take pride in what they do.

39
40 There were no further public comments. Chair Butler closed the public hearing.

1 It was noted that people generally recognize that transfer stations need to go somewhere but seldom
2 think it should be close to them. Their placement, however, was part of living in modern society
3 in the United States. It was acknowledged that the applicant has been a good tenant with a lot of
4 conditions to be met.

5
6 **MOTION:** Commissioner Clyde moved that the Planning Commission APPROVE the request
7 of Ace Intermountain Recycling Center to amend the provisions of an existing Conditional Use
8 Permit on property located at 225 West 700 South in the M-D (Manufacturing Distribution) Zone;
9 and adopt the exhibits, conditions, and findings of the staff report, and as modified by the
10 conditions below:

- 11
12 1. Pre-loaded trailers may be stored on the premise overnight as long as:
 - 13
14 a. The number of trucks does not exceed four (4); and
 - 15
16 b. The trucks are kept inside Building 4 with the bays closed and the load
17 covered with a tarp.
- 18
19 2. The facility may increase its average of waste received and processed to 850 tons
20 per day.
- 21
22 3. The Public Works Department shall conduct a revision of the required payment to
23 the City for traffic impacts on the road.
- 24
25 4. All Final Planning, Engineering, and Fire Department conditions are met.

26
27 Commissioner Patten seconded the motion. The Commissioners unanimously voted “Aye.” The
28 motion carried.

29
30 **ITEM 2 – Public Hearing: Code Text Amendment–Section 10-14-19-G:**
31 **(City Wide)**

32 Multiple-Family Residential Development Requirements Public Hearing to Consider the Request
33 of Pleasant Grove City to Amend City Code Section 10-14-19G: Multiple-Family Residential
34 Development Requirements, by Modifying the Provisions and Requirements for Multi-Family
35 Developments within The Grove Zone.


36
37 The above item was continued.

38
39 **ITEM 3 - Review and Approve the Minutes from the July 14, 2022, Planning Commission**
40 **Meeting.**

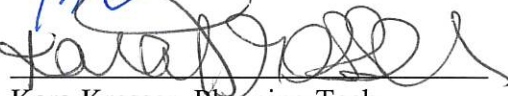
41
42 **MOTION:** Commissioner Patten moved to APPROVE the minutes of July 14, 2022, as printed.

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

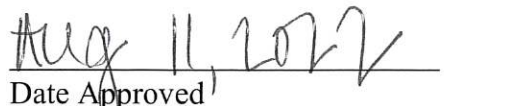
3
4 **MOTION:** Commissioner Clyde moved to ADJOURN the meeting at 8:12 p.m. Commissioner
5 Martineau seconded the motion. The Commissioners unanimously voted "Aye". The motion
6 carried.

7
8
9 

10 Planning Commission Chair

11 

12 Kara Kresser, Planning Tech

13
14 

15 Date Approved