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3 PLEASANT GROVE CITY
4 PLANNING COMMISSION MEETING MINUTES
5 January 26, 2023

6
7 **PRESENT:** Chair Dustin Phillips, Jim Martineau, Todd Fugal, Wendy Shirley

8
9 **STAFF:** Daniel Cardenas, Community Development Director; Jacob Hawkins, City Planner;
10 Gary Taylor, Staff Engineer; Kara Kresser, Planning Assistant; Kirsten Haggard, Planning Tech

11
12 **EXCUSED:** Lindsey Hargett, Karla Patten, Jeffrey Butler, and City Engineer Aaron Wilson

13
14 Chair Dustin Phillips called the meeting to order at 7:00 p.m.

15
16 **Commission Business:**

17
18 **1. Pledge of Allegiance and Opening Remarks:** Commissioner Jim Martineau led the
19 Pledge of Allegiance. Commissioner Todd Fugal offered the opening remarks.

20
21 **2. Agenda Approval.**

- 22
23 • **MOTION:** Commissioner Martineau moved to APPROVE the agenda as written,
24 with the combining of Items 4 and 5 heard together but voted on separately.
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 as
31 written. 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.**

35
36 There were no declarations or abstentions.

1 **ITEM 1 – Public Hearing: Preliminary Subdivision Plat – Located at approx. 735 West 1010**
2 **North**
3 **(Mud Hole Neighborhood)**

4 Public Hearing to Consider the Request of Jim and Angela Evans for a One-Lot Preliminary
5 Subdivision Plat, called Valley Crest Plat A, on 0.4 Acres of Land located at approx. 735 West
6 1010 North in the R1-8 (Single-Family Residential) Zone.

7
8 City Planner, Jacob Hawkins, presented the Staff Report and stated that the applicants, Jim and
9 Angela Evans, are requesting approval of a one-lot preliminary subdivision plat. The subject
10 property was identified on an aerial map displayed. The applicants own two separate adjacent lots
11 which are fenced together as if the area were one lot with their residence being located on one of
12 the lots. When they applied for a Building Permit to build an accessory unit on the vacant lot area,
13 the request was denied because accessory units are not allowed to be built on a vacant lot. A
14 Building Permit could be issued, however, if the two lots were joined together.

15
16 Chair Butler opened the public hearing. There were no public comments. The Chair closed the
17 public hearing and invited the Commission to either continue the discussion regarding this item or
18 he would entertain a motion if no further discussion was necessary.

19
20 **MOTION:** Commissioner Fugal moved The Planning Commission forward a positive
21 recommendation of APPROVAL for the request of Jim and Angela Evans for a subdivision plat
22 called Valley Crest Plat ‘M’ on property located at approximately 735 West 1010 North on
23 property zoned R1-8; and adopting the exhibits, conditions, and findings of the staff report, and as
24 modified by the condition below:

- 25
26 1. All Final Planning, Engineering, and Fire Department requirements are met.

27
28 Commissioner Martineau seconded the motion. The Commissioners unanimously voted “Aye”.
29 The motion carried.

30
31 **ITEM 2 - Public Hearing: Conditional Use Permit – Located at approx. 612 South Pleasant**
32 **Grove Boulevard**
33 **(Sam White’s Lane Neighborhood)**

34 Public Hearing to Consider the Request of Brady Davies for The Piano Place for a Conditional
35 Use Permit to Allow Use #6830: Special Training and Schooling, located at approx. 612 South
36 Pleasant Grove Boulevard in The Grove – Commercial Sales Subdistrict.

37
38 Planner Hawkins presented the Staff Report and identified the property on a map displayed. The
39 property is within The Grove – Commercial Sales Subdistrict, which allows the requested use as
40 a Permitted Conditional Use. Planner Hawkins identified the available parking in the area, which
41 includes 66 parking spaces for this building alone. The applicant’s business will occupy a 1700-
42 square-foot suite in the building. Parking requirements for the use fall under the Private Club

1 requirements and consists of 16 spaces. There is one space proposed for every 100 square feet
2 excluding storage). Staff recommended approval. The suite will have 11 music rooms, a waiting
3 room, and two storage rooms. Commissioner Shirley raised the issue of noise. She assumed the
4 rooms will be padded. Planner Hawkins stated that the applicant could address that issue and that
5 the Staff Report contained information about noise and construction. Issues pertaining to noise
6 that bothers others would be found in the Nuisance portion of the Code.

7
8 Community Development Director, Daniel Cardenas, added that most of the time the decibel levels
9 are measured from the noise site to the property line. In this case, there would be no issue. That
10 issue was briefly discussed. The issue, if raised would be between the tenants. It also was noted
11 that the issue pertaining to noise in a mixed suite is not part of what is addressed by the
12 Commission.

13
14 The applicant, Brady Davies identified himself as the owner of The Piano Place and stated that
15 this is their 10th business location in the State. They have sound engineers who address the sound
16 issues that result from musical instruments with soundproofing when they move into a location.
17 Their goal is to be an asset to the community and provide a service and jobs in the area.

18
19 Chair Butler opened the public hearing. There were no public comments. The Chair closed the
20 public hearing and invited the Commission to either continue the discussion regarding this item or
21 he would entertain a motion if no further discussion was necessary.

22
23 Director Cardenas reported that this use is conditional primarily because of issues with parking.
24 The concern would be about whether there is ample parking and adequate space for picking up
25 and dropping off students. A Parking Plan will likely be required. He also noted at the time of the
26 original development, extra parking spaces were provided. Moreover, the public hearing provides
27 an opportunity for the business owner and other tenants to express concerns, if any. Moreover,
28 the property owner will need to assign 16 spaces for this one business. Parking requirements are
29 routinely reviewed with the requests for a Conditional Use Permit.

30
31 **MOTION:** Commissioner Martineau moved the Planning Commission APPROVE the request of
32 The Piano Place for the Conditional Use Permit to allow Use #6830: Special Training and
33 Schooling on property zoned The Grove Commercial Sales located at approximately 612 South
34 Pleasant Grove Boulevard; and adopting the exhibits, conditions, and findings of the staff report,
35 and as modified by the condition below:

- 36
37 1. All Final Planning, Engineering, and Fire Department requirements are met.

38
39 Commissioner Shirley seconded the motion. The Commissioners unanimously voted "Aye". The
40 motion carried.

1 **ITEM 3 - Public Hearing: Site Plan – Located at 470 South Pleasant Grove Boulevard**
2 **(Sam White’s Lane Neighborhood)**

3 Public Hearing to Consider the Request of Elliott Smith for TerraForm Companies, LLC for a
4 Commercial Site Plan, located at 470 South Pleasant Grove Boulevard in The Grove Commercial
5 Sales Subdistrict.

6
7 Planner Hawkins presented the Staff Report and stated that the request is for a Commercial Site
8 Plan. The applicant is planning to build a restaurant at this location as shown on the site plan.
9 Using the aerial map, the property was identified as being next door to the Hyatt Hotel. Planner
10 Hawkins reported that in June 2022, the applicant and the Hyatt Hotel entered into a Conditional
11 Use Permit for joint parking, which was approved by the Planning Commission.

12
13 Setbacks on Evermore Lane, in some areas, were identified as less than 20 feet but the zoning
14 requirements can still be met under some circumstances. For instance, where a landscape buffer
15 is to be 25 feet, the City Council may approve a reduction in width to 20 feet so long as the
16 developer has provided enhancements and has exceeded the City’s standard requirements for
17 architectural amenities and landscaping for the overall project area. An alternate circumstance that
18 is that consistent with landscape buffers is highly recommended but the developer may achieve
19 the required setbacks by averaging the minimum required width, which Planner Hawkins reported
20 was being done here. He presented the Landscaping Plan for the property and stated that it covers
21 20 to 30 percent of the entire area. It was noted that 20% is within the property line and 30% if
22 counted to the curb.

23
24 The elevation plans showed the height as approximately 20 feet at the highest point. The color of
25 the fiber cement façade will be light and dark grey. The design was approved by the Design
26 Review Board on January 9, 2023. Staff recommended approval. When asked if staff had any
27 concerns about the reduced setbacks, Planner Hawkins stated that they do not as the developer
28 provided additional landscaping and meets all requirements for materials. There was a question
29 as to whether the reduced setback needs to be addressed in the motion. It was noted that the
30 Planning Commission’s approval is a recommendation to the City Council which makes the final
31 decision. Director Cardenas stated that setbacks are addressed when the item is submitted to the
32 City Council.

33
34 The applicant, Cody Williams, identified himself as the Civil Design Engineer for the project. He
35 reported that Elliott Smith was unable to be present but wanted to thank the Planning Commission.
36 He was excited about bringing Chipotle to Pleasant Grove. Mr. Williams indicated that the
37 proposed construction is like other Chipotle projects and involves basic standard construction.
38 There was discussion regarding vehicle access to the restaurant and whether the placement of the
39 dumpsters had been thought-out. The vehicle access includes shared access off Evermore with the
40 Hyatt Hotel. There is no access from Pleasant Grove Boulevard. There should not be any queuing
41 issues as the drive-thru is for pick-up only and no ordering is allowed. In addition, the driveway

1 is quite long. They have fully evaluated the issue regarding the location and servicing of the
2 dumpsters.

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

7
8 **MOTION:** Commissioner Fugal moved that the Planning Commission forward a positive
9 recommendation of APPROVAL for the request of TerraForm Companies, LLC for a Commercial
10 Site Plan for a restaurant on property located at approximately 470 South Pleasant grove Boulevard
11 on property zoned The Grove Commercial Sales; and adopting the exhibits, conditions, and
12 findings of the staff report, and as modified by the condition below:

- 13
14 1. All Final Planning, Engineering, and Fire Department requirements are met.

15
16 Commissioner Shirley seconded the motion. The Commissioners unanimously voted "Aye". The
17 motion carried.

18
19 **ITEM 4 – Public Hearing: Preliminary Subdivision Plat – Located at approx. 1000 West**
20 **State Street**

21 **(Sam White's Lane Neighborhood)**

22 Public Hearing to Consider the Request of X Development for a Three-Lot Preliminary
23 Subdivision Plat Called X Development PG Mixed Use Subdivision Plat 'A', on 5.05 Acres of
24 Land located at approx. 1000 West State Street in the Commercial Sales-2 (CS-2) Zone.

25
26 **ITEM 5 – Public Hearing: Site Plan – Located at approx. 1000 West State Street**

27 **(Sam White's Lane Neighborhood)**

28 Public Hearing to Consider the Request of X Development for a Commercial Site Plan, located at
29 approx. 1000 West State Street in the Commercial Sales-2 (CS-2) Zone.

30
31 Items 4 and 5 were heard together but voted on separately.

32
33 Planner Hawkins presented the Staff Report and stated that the applicant is requesting Preliminary
34 Subdivision Plat and a Commercial Site Plan Approval. On a zoning map displayed, the property
35 was identified. It is in the Commercial Sales-2 (CS-2) Zone next to Macey's with apartments to
36 the south. The proposed plat contains three lots but only Lot 2, which is 1.14 acres in size, is being
37 developed. Planner Hawkins reported that the Commercial Sales-2 (CS-2) Zone does not have
38 any requirements for the lot area or the width. The frontage requirement is 100 feet which Lot 2,
39 meets. The setbacks are marginally taken care of in the proposed site plan.

40
41 The site plan proposes two commercial buildings, one of which will be a restaurant. The other
42 will be a shell that will house several different suites. Because there is no condominium plat being

1 proposed, the owner will own the property that will house both buildings and be leased. The
2 parking requirements for Building 1 is one parking stall for every 200 square feet of gross area,
3 which equates to 24 parking spaces. The parking requirements for restaurant parking is one
4 parking stall for every 3.5 seats or one parking stall for every 100 square feet, excluding the kitchen
5 and storage areas. Seating for the restaurant is expected to include 49 seats, which will require
6 only 14 parking spaces. The parking lot contains 49 stalls, which meets the requirements. The
7 applicant was still working on the site plans.

8
9 Staff will work with the applicants to determine the final parking numbers. For landscaping, the
10 square footage includes 12,000 square feet of landscaping with 21 trees and meets the requirements
11 of the zone. The elevation plans were provided and show the maximum height of the proposed
12 buildings as 26 feet. Materials for the shell building include cement siding on the darker horizontal
13 lines, metal siding on the lighter horizontal lines, Exterior Insulation Finishing System (“EIFS”)
14 in the blank areas, and colored concrete blocks for the skirts of the building. For the restaurant,
15 tinted stucco, thin brick, and composite wood were proposed. Renderings of the restaurant were
16 presented. Planner Hawkins stated that there are no specific requirements for color or building
17 materials in the Commercial Sales-2 2 (CS-2) Zone. Staff recommended approval of both the
18 Preliminary Subdivision Plat and the Site Plan.

19
20 Planner Hawkins was asked to identify the road accesses for the building locations on Lot 2 of the
21 Site Plan. There was discussion regarding the location of each of the buildings on the lots, access
22 to State Street, shared easements, and future road issues. Commissioner Shirley confirmed that
23 both buildings have plans for drive-thrus and asked about issues pertaining to stacking. The site
24 plan was determined to identify where the drive-thrus would be located for each building. It was
25 noted that the parking was adequate.

26
27 The applicant, Glen Goins from X Development was joined by Eric Tanner, one of the owners of
28 X Development, and Nathan Reiner, the Project Civil Engineer. He appreciated Planner Hawkins’
29 report and noted that they have worked with staff on several changes in an effort to meet the Code
30 requirements. He stated that the road to the south connects to the sewer utility and will be used
31 for site mobility. He described the stacking lanes and parking. The one building that has double
32 drive-thru lanes has one lane for orders and the other for pick-ups only. Building 1 will likely have
33 a restaurant as well. They will not have the same volume of traffic that Chick-fil-A has.
34 Commissioner Shirley did not want traffic to back up. The applicant stated that their plan includes
35 enough room for stacking to meet the standards and they are comfortable with it.

36
37 Chair Butler opened the public hearing. There were no public comments. The Chair closed the
38 public hearing and invited the Commission to either continue the discussion regarding this item or
39 he would entertain a motion if no further discussion was necessary.

40
41 **MOTION:** Commissioner Martineau moved that the Planning Commission forward a positive
42 recommendation of APPROVAL for the request of X Development for a subdivision plat called

1 X Development PG Mixed Use Subdivision Plat 'A' on property located at approximately 1000
2 West State Street on property zoned CS-2; and adopting the exhibits, conditions, and findings of
3 the staff report, and as modified by the condition below:
4

- 5 1. All Final Planning, Engineering, and Fire Department requirements are met.
6

7 Commissioner Shirley seconded the motion. The Commissioners unanimously voted "Aye". The
8 motion carried.
9

10 **MOTION:** Commissioner Fugal moved that the Planning Commission APPROVE the request of
11 X Development for a commercial site plan for two commercial buildings on property located at
12 approximately 1000 West State Street on property zoned CS-2' and adopting the exhibits,
13 conditions, and findings of the staff report, and as modified by the condition below:
14

- 15 1. All Final Planning, Engineering, and Fire Department requirements are met.
16

17 Commissioner Martineau seconded the motion. The Commissioners unanimously voted "Aye".
18 The motion carried.
19

20 **ITEM 6 – Public Hearing: Phasing Plan – Located at approx. 1300 West 100 South**
21 **(String Town Neighborhood)**

22 Public Hearing to Consider the Request of DR Horton, Inc. for the Establishment of a Phasing
23 Plan, on Property located at approx. 1300 West 100 South in The Grove – Commercial Sales
24 Subdistrict.
25

26 Planner Hawkins presented the Staff Report and stated that the request for a Phasing Plan that
27 provides a Certificate of Occupancy be issued for each phase as built, while they complete
28 construction of the remaining phases. He showed the proposed Phasing Plan, which includes two
29 sections or plats. The first section includes the first four phases, each represented by different
30 colors. Phases 5 and 6 were included in the second section. Staff recommended approval of the
31 Phasing Plan with the condition that all final Planning, Engineering, and Fire Department
32 requirements are met.
33

34 Director Cardenas reported that a Certificate of Occupancy is normally provided at the end of the
35 project, including finished site improvements. If the project is phased, the applicant will seek to
36 obtain Certificates of Occupancy in stages or sections. The City has been working with the
37 applicant on this issue and is in the process of obtaining Temporary Certificates of Occupancy
38 with the assistance of the City Attorney. He stated that Engineering has comments that need to be
39 addressed but approval was recommended only if the Development Agreement is complete and
40 approved by the City Attorney. Commissioner Martineau raised the issue of whether there was a
41 Bonding Agreement. Director Cardenas reported that there was but the details were slightly
42 different.

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The applicant, Krisel Travis from DR Horton, stated that with respect to a question raised regarding homeowner access, the access is permanent. The restriction during construction on Phase 3 was to limit the entry of construction vehicles to the far end with residential access remaining as set. It was intended to address work crew access and safety issues for residents. She clarified that the document addressed earlier is not a Development Agreement but rather a Temporary Occupancy Agreement. She reported that their proposal includes the location of all overhead hazards such as scaffolding having been removed. Only painting and appliance installation remained. The protective fencing can be removed 30 days prior to occupancy. It was noted that this would allow the units to be shown even when they are still in the final phase of construction. The units will be rented. Commissioner Martineau reported that the Phasing Plan is straightforward and well-written.

Chair Butler opened the public hearing.

Craig Yuzon reported that he lives on Proctor Farm and wanted to ensure that those who purchase the property know that there is a farm across the street to avoid future complaints. He noted that the farm has been in existence since 1852. He also asked if parking will be allowed on 1300 West. Director Cardenas stated that there will be no parking on the public right-of-way.

Director Cardenas noted that staff does not have the power to approve a phasing plan but the Planning Commission does. He indicated that some details remain for finalizing the Temporary Occupancy Agreement.

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

MOTION: Commissioner Martineau moved that the Planning Commission APPROVE the request of DR Horton for a Phasing Plan on property located at approximately 1300 West 100 South on property zoned The Grove Commercial Sales Subdistrict; and adopting the exhibits, conditions, and findings of the staff report, and as modified by the conditions below:

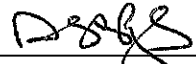
1. All Final Planning, Engineering, and Fire Department requirements are met.
2. The temporary occupancy agreement must be met and approved by the City Attorney and the Community Development Department.

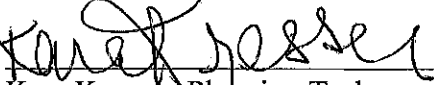
Commissioner Shirley seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

1 **ITEM 7 – Review and Approve the Minutes of the January 12, 2023, Meeting.**

2
3 **MOTION:** Commissioner Fugal moved to APPROVE the Minutes of January 12, 2023, as
4 printed. Commissioner Martineau seconded the motion. The Commissioners unanimously voted
5 “Aye”. The motion carried.

6
7 **MOTION:** Commissioner Martineau moved to ADJOURN the meeting at 7:54 p.m.
8 Commissioner Fugal seconded the motion. The Commissioners unanimously voted “Aye”. The
9 motion carried.

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11
12 
13 _____
14 Planning Commission Chair

15 
16 _____
17 Kara Kresser, Planning Tech

18 Feb. 9 2023
19 Date Approved