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PLEASANT GROVE CITY  
PLANNING COMMISSION MEETING MINUTES  
October 11, 2018

**PRESENT:** Chair Lisa Coombs, Vice Chair Sam Sanderson, Commissioners Peter Steele, Bobbi Jo Blake, Tamara Oborn, Dustin Phillips, and Jeffrey Butler

**EXCUSED:** Commissioners Matt Nydegger and Jon Hawkins

**STAFF:** City Planner Julie Henry,  
Staff Engineer Shaun Hilton, Planning Assistant Kelly Evans

**EXCUSED:** Community Development Director Daniel Cardenas

Chair Coombs opened the meeting at 7:00 p.m.

**Commission Business:**

**1. Pledge of Allegiance:** Commissioner Butler led the Pledge of Allegiance.

**2. Opening Remarks:** Commissioner Sanderson gave the opening remarks.

**3. Agenda Approval:**

- **MOTION:** Commissioner Steele moved to APPROVE the agenda as part of public record, with Items 2 and 3 being continued to the October 25, 2018 meeting. Commissioner Phillips seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

**4. Staff Reports:**

- **MOTION:** Commissioner Sanderson moved to APPROVE the staff reports as part of the public record. Commissioner Blake seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

**5. Declaration of Conflicts and Abstentions from Commission Members:** There were none.

1  
2 **ITEM 1 – Public Hearing to Consider a Request of Brad Slater for a Conditional Use Permit to Allow**  
3 **a Major Home Occupation for a Skincare Business on Property Located at 868 West 4230 North in**  
4 **the R-R (Rural Residential) Zone. MANILA NEIGHBORHOOD**

5  
6 City Planner, Julie Henry, presented the staff report and stated that a major home occupation is  
7 considered a more intense in use and has non-resident employees. The applicant was proposing a  
8 skincare business in the home, and there would be one non-resident employee. The number of non-  
9 resident employees the Planning Commission can approve for a major home occupation is based on  
10 the lot size and the number of residents living in the home. In this case, the Planning Commission  
11 can approve a maximum of four non-resident employees. With regard to parking, Ms. Henry stated  
12 that no on-street parking will be allowed. She presented a site plan of the home and identified the  
13 parking spaces available off-street. Staff did not anticipate any parking issues with the use and they  
14 recommended approval of the request with the conditions listed in the staff report.

15  
16 In response to a question from Commissioner Sanderson, Ms. Henry confirmed that the term “non-  
17 resident” refers to residents of the home and not the City.

18  
19 Commissioner Steele commented on the number of stalls available and stated that if there were four  
20 employees on site, there would only be one parking space left for a customer. He suggested that they  
21 consider limiting the number of employees to two rather than four.

22  
23 Commissioner Butler asked how the City would enforce or regulate the on-street parking limitation.  
24 Ms. Henry stated that it was complaint-based.

25  
26 Commissioner Oborn commented that this kind of business has to follow State Health Codes. She  
27 asked if the Conditional Use Permit was clear that all of those requirements needed to be met.  
28 Ms. Henry stated that the applicant would be required to bring their Health Department Certificate  
29 when she applies for a business license.

30  
31 The applicant, Sadie Gunderson, was present and available to answer questions.

32  
33 Chair Coombs opened the public hearing.

34  
35 Diane Gibb gave her address as 328 West 2600 North and asked if the resident’s garage and carport  
36 count toward the parking count. Chair Coombs explained that the applicant will be required to have  
37 two parking spaces for residential use but they could use the rest of the parking available as they  
38 desired.

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

41  
42 **MOTION:** Commissioner Steele moved that the Planning Commission APPROVE the request of  
43 Brad Slater for a Conditional Use Permit to operate a skincare business as a major home occupation

1 on property located at 868 West 4230 North in the R-R (Rural Residential) Zone; and adopt the  
2 exhibits, conditions, and findings contained in the staff report, and as modified by the conditions  
3 below:

- 4
- 5 1. The total number of non-resident employees and customers present on the property may not  
6 exceed the number of available parking spaces.  
7
- 8 2. Up to four (4) non-resident employees are granted provided the number of non-resident  
9 employees does not exceed the number of residents who live in the home at any given time.  
10
- 11 3. At least two (2) parking spaces need to be maintained for the residents' vehicles that are not  
12 used for business purposes.  
13
- 14 4. All applicable conditions in City Code Section 10-21-4 and Section 10-21-6 are met.  
15
- 16 5. All Final Planning, Engineering, and Fire Department requirements are met.  
17

18 Commissioner Oborn seconded the motion. The Commissioners unanimously voted "Aye". The  
19 motion carried.  
20

21 **ITEM 2** – Public Hearing to Consider the Request of Jason Fox for a Conditional Use Permit to  
22 Allow an Accessory Structure, with a Footprint Exceeding 1,200 square feet, on Property Located at  
23 312 East 1700 North in the R1-12 (Single-Family Residential) Zone. **BIG SPRINGS**  
24 **NEIGHBORHOOD** \*Continued to the October 25, 2018 Meeting.  
25

26 **ITEM 3** – Public Hearing to Consider the Request of Jason Fox for a Conditional Use Permit to  
27 Allow an Accessory Structure, with a Height Greater than 18 feet, on Property Located at 312 East  
28 1700 North in the R1-12 (Single-Family Residential) Zone. **BIG SPRINGS NEIGHBORHOOD**  
29 \*Continued to the October 25, 2018 Meeting.  
30

31 **ITEM 4** – Public Hearing to Consider the Request of David Gibb for a Two-Lot Preliminary  
32 Subdivision Plat called Manila Hills Subdivision Plat "B" on Property Located at Approximately 328  
33 West 2600 North in the R-R (Rural Residential) Zone. **SAM WHITE'S LANE**  
34 **NEIGHBORHOOD**.  
35

36 *NOTE: Commissioner Blake arrived at 7:23 p.m.*  
37

38 Ms. Henry presented and stated that the existing plat for the property showed Lot 1 as a large square  
39 piece. Lot 2 was described as an odd triangle shaped property. The proposed plat would vacate Lot  
40 2 and split Lot 1 into two new lots. Ms. Henry explained that the proposed subdivision meets the  
41 criteria to create a flag lot. There is an existing barn on Lot 4, so staff included a condition that the  
42 barn be brought up to Code if a subsequent owner wants to change the barn into a living space. The  
43 plat would note that a residence could not be build on the back portion of Lot 4 because a driveway

1 to this part of the lot would not meet Fire Code. If the property owner wants to place a detached  
2 structure there, they would not be able to provide utilities through the flag stem, since the stem was  
3 solely owned by the owner of Lot 3. Ms. Henry stated that there is an existing tiny home on Lot 3  
4 that would have to be removed or demolished prior to the recording of the plat, because City Code  
5 doesn't allow tiny homes to be on their own lot. Staff recommended approval of the application with  
6 the conditions listed in the staff report.

7  
8 In reference to the map, the Commission discussed potential access through the subdivision to the  
9 north.

10  
11 The applicant, David Gibb, gave a brief history of the property and explained that the tiny home is  
12 actually the original pioneer home, which they had restored to be a livable area. Mostly, the cabin  
13 had been used by his adult children as they transitioned into married life. His plan for the new  
14 subdivision was to construct a new home on Lot 3 in front of the cabin, which he and his wife would  
15 reside in. Mr. Gibbs requested that the cabin be allowed to remain as an approved accessory  
16 apartment to the new home. He confirmed that there would be plenty of parking in the main home  
17 and near the accessory apartment.

18  
19 Commissioner Oborn stated that she would like to resolve the problem with the cabin, but she did not  
20 know how. She asked if they could make the cabin a historic site.

21  
22 Commissioner Steele stated that Pleasant Grove doesn't protect historic buildings, and there is no  
23 other function that protects them.

24  
25 Ms. Henry stated that the City allows main homes and accessory apartments as long as they meet  
26 certain requirements. This issue in this case is that they would be allowing the accessory apartment  
27 to be on its own lot when this property was subdivision, which was against Code even when it's  
28 temporary. In order for the applicant to get a building permit to construct the main home, the plat  
29 must be recorded, and they cannot record the plat with the accessory apartment there. Ms. Henry said  
30 that the Planning Commission could continue the item and speak with the City Attorney about  
31 possible solutions.

32  
33 Chair Coombs opened the public hearing.

34  
35 Steve Renshaw, who resides at 2725 Canyon Road, asked if the applicant would be required to pipe  
36 the rest of the ditch in the Manila Creek easement. City Engineer, Shaun Hilton, confirmed that  
37 piping will be required as part of the site plan approval process. He also stated that the easement  
38 would not be moving from its current location.

39  
40 Mr. Renshaw was opposed to the cul-se-sac that was approved one year ago because it takes some of  
41 his property, which resulted in smaller back yards for lots he decided to build on his property. For  
42 this reason, he would not be developing his property as long as he lives in the home. He stated that  
43 they should approve the cul-de-sac all the way through and take part of the Gibbs and Gauges

1 properties, which would open up the lots on either side and eliminate the need for flag lots.  
2 Mr. Renshaw identified another alternative referencing the map. He then addressed trail access to the  
3 neighborhood to the north. Currently, all of the school children in the neighborhood have to walk to  
4 their bus stops without sidewalks or trails and he would like to see some trail access there.

5  
6 Ms. Henry invited Mr. Renshaw to speak with her at the City offices to discuss his ideas, because he  
7 was essentially suggesting an amendment to the Master Plan for trails. She noted that the Parks and  
8 Recreation Department is working on Phase 2 of their trails project, so it would be beneficial for Mr.  
9 Renshaw to speak with them as well.

10  
11 Mr. Renshaw stated that this was going to be a very nice community with trails and other amenities,  
12 but everything changed once the developers got ahold of it. He was opposed to the proposal as it  
13 stands currently.

14  
15 There were no further public comments. Chair Coombs closed the public hearing.

16  
17 Commissioner Phillips recommended a stay on the decision to provide an opportunity to explore all  
18 possible options for keeping the cabin. Commissioner Steele agreed and commented that it would be  
19 unwise to tear down or move the cabin because it would be briefly illegal.

20  
21 **MOTION:** Commissioner Steele moved that the Planning Commission CONTINUE the request of  
22 David Gibb for the preliminary subdivision plat, called Manila Hills Subdivision Plat B, on property  
23 at approximately 328 West 2600 North, in the R-R (Rural Residential) Zone, until the October 25,  
24 2018 Planning Commission meeting, based on the following finding:

- 25  
26 1. Allow staff to coordinate with the City Attorney to see if there is any way to allow the  
27 accessory apartment on the proposed Lot 3 to remain during construction.

28  
29 Commissioner Sanderson seconded the motion. The Commissioners unanimously voted “Aye”. The  
30 motion carried.

31  
32 **ITEM 5 – Public Hearing to Consider the Request of Matthew Eau Claire to Add Four New**  
33 **Conditional Uses (#2181, 2182, 2183, and 2184) to the Manufacturing Distribution (MD) Zone to**  
34 **Allow Manufacturing of a Variety of Beer and Liquor Products. SAM WHITE’S LANE**  
35 **NEIGHBORHOOD \*Continued from the September 27, 2018 Meeting.**

36  
37 Ms. Henry clarified that the applicant has made changes to the proposal since it was posted. The first  
38 change was that the uses were proposed to be permitted rather than conditional. The second change  
39 was that Use #2181 was no longer being proposed. Mr. Henry referenced Use #2182 and said that  
40 “malt” was interpreted as malt whisky and not beer.

41  
42 Mr. Henry reported that staff took a tour of a distillery in South Salt Lake City to see if there were  
43 any nuisances or impacts to the surrounding uses that they needed to consider. They found that there

1 were no smell or noise nuisances associated with the use, and everything was contained within the  
2 building. Ms. Henry then addressed the MD zone in Pleasant Grove and stated that some of the uses  
3 included dance studios and charter schools. With that in mind, staff included qualifying provisions  
4 to reduce the impact and make the proposed uses more compatible with the existing uses in the zone.  
5 Staff proposed provisions that would limit the uses to manufacturing only, which means they could  
6 not have storefronts that sell alcohol or tasting rooms. They cannot prohibit retail sales on-site  
7 because of State law, so the business would be able to sell other merchandise.

8  
9 Commissioner Sanderson asked if they were proposing permitted uses because the City was moving  
10 away from conditional uses. Ms. Henry answered in the affirmative. She explained that staff's  
11 approach was to create specific qualifying provisions for each permitted use, which was very similar  
12 to the conditions of a conditional use.

13  
14 Commissioner Blake asked why the City prohibited the brewing of beer. Ms. Henry stated that  
15 brewing created more nuisances than distilling so staff was not comfortable adding it to the list.

16  
17 Commissioner Steele commented that a major difference between a permitted and conditional use is  
18 that the Planning Commission holds a public hearing for conditional uses. The problem with that is  
19 that the Commission legally cannot take "public clamor" into account when granting approval.  
20 Ideally, residents will submit legitimate reasons that a conditional use would adversely affect health  
21 and safety, but they never do. Having permitted uses is a better, cleaner process for the City.  
22 Although he thought it would be appropriate to require certain uses to send notification to the  
23 surrounding property owners.

24  
25 Ms. Henry noted that the City was allowed to create qualifying provisions that are stricter than what  
26 the State has outlined, and they have done that here with the prohibition of tasting rooms.

27  
28 The applicant, Matthew Claire, responded to a question from Commissioner Sanderson and stated  
29 that the goal of the distilleries is to distribute nationally rather than focusing on local sales.  
30 Individuals do like to tour distilleries, but that demographic includes people who drink for taste. This  
31 would not be a bar or anything similar. Normally, a tasting would accompany the end of a tour.  
32 Prohibiting a tasting room is not ideal, but that was part of the compromise. As a company, they were  
33 looking for ways to mitigate the lack of a tasting room by possibly partnering with another distillery  
34 or store in a City where that was permitted.

35  
36 Commissioner Blake asked staff if they need to specify "tours" as a permitted or conditional use,  
37 since the applicant plans to provide them. She also asked if that would affect parking requirements.  
38 Ms. Henry stated that they could consider tours as a new use or an accessory to the primary use.

39  
40 Commissioner Sanderson asked about the typical number of employees at a distillery. Mr. Claire  
41 said that they would have around six employees.

1 Commissioner Butler asked how a tasting will affect sales. Mr. Claire explained that taste is the  
2 primary factor in purchasing their product. He clarified that the State allows them to sell alcohol  
3 directly to people in-state, which means they can sell to local bars and restaurants. The disadvantage  
4 to not having a tasting is that local business owners would have to go to the state liquor store to buy  
5 our goods, without being able to taste them first.

6  
7 Chair Coombs opened the public hearing.

8  
9 Kevin Crawford, a resident, stated that he enjoys drinking and is very responsible with it. He respects  
10 those individuals who chose not to drink, and he hoped that non-drinkers will show the same courtesy.  
11 Mr. Crawford hoped to see the qualifying provisions as something between the store and the State  
12 rather than the City. The company should be able to just follow the State laws that have already been  
13 established. Mr. Crawford commented that individuals would not be a \$40 bottle of spirits without  
14 knowing what it tastes like, so prohibiting the tasting room would negatively affect the company. He  
15 believed that a tasting room should be allowed.

16  
17 There were no further public comments. Chair Coombs closed the public hearing.

18  
19 Commissioner Phillips asked if the individuals would need to provide identification before entering  
20 the building for a tour, and Mr. Claire said that they did not need an ID to enter the building, but they  
21 would need it for tasting.

22  
23 Commissioner Oborn felt that the provisions presented by staff were appropriate for this zone because  
24 of the other uses that exist there.

25  
26 Commissioner Sanderson was also satisfied with the proposed provisions, but liked Commissioner  
27 Steele's suggestion of requiring notification to the surrounding property owners.

28  
29 Commissioner Steele did not feel that a tasting room was incompatible with the zone but thought  
30 there was value in taking it slow. This would be the first distillery in Pleasant Grove.

31  
32 The Planning Commission discussed possibly adding a provision for tours but ultimately decided that  
33 tours would be a normal use for any manufacturing facility. There was some concern about parking,  
34 but Mr. Claire said that they could limit the size of the tour to one car. He had been working with the  
35 landlord and understood that parking was a major concern for him.

36  
37 **MOTION:** Commissioner Steele moved that the Planning Commission recommend the City Council  
38 APPROVE the request of Matthew Eau Claire for the proposed amendments to City Code Section  
39 10-12B-2:E; and adopt the exhibits, conditions, and findings contained in the staff report, and as  
40 modified by the condition listed below:

- 41  
42 1. The Planning Commission recommends that an additional qualifying provision be added to  
43 require the applicant of these uses to notify neighboring property owners within 300 feet.

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

4  
5 **ITEM 6** – Review and Approval of the Minutes from the September 27, 2018 Planning Commission  
6 Meeting and the Amended Minutes from the August 23, 2018 Planning Commission Meeting.

7  
8 **MOTION:** Commissioner Steele moved to APPROVE the amended minutes from the August 23,  
9 2018 Planning Commission meeting. Commissioner Blake seconded the motion. The  
10 Commissioners unanimously voted “Aye”. The motion carried.

11  
12 Chair Coombs noted that the minutes from September 27, 2018 would be continued to the next  
13 Planning Commission meeting.

14  
15 **MOTION:** Commissioner Steele moved to adjourn. Commissioner Oborn seconded the motion.  
16 The Commissioners unanimously voted “Aye”. The motion carried.

17  
18 The meeting adjourned at 8:54 p.m.

19  
20  
21 \_\_\_\_\_  
22 Planning Commission Chair

23  
24 \_\_\_\_\_  
25 Barbara Johnson, Planning Tech

26  
27 \_\_\_\_\_  
28 Date Approved