

NORTH OGDEN PLANNING COMMISSION

MEETING MINUTES

July 19, 2017

The North Ogden Planning Commission convened in a special meeting on July 19, 2017 at 6:30 p.m. in the North Ogden City Municipal Building, 505 E. 2600 N. North Ogden, Utah. Notice of time, place and agenda of the meeting was furnished to each member of the Planning Commission, posted on the bulletin board at the municipal office and posted to the Utah State Website on July 14, 2017. Notice of the annual meeting schedule was published in the Standard-Examiner on January 1, 2017.

COMMISSIONERS:

Don Waite	Chairman
Eric Thomas	(Excused)
Brandon Mason	Commissioner
Steven Prisbrey	(Excused)
Nicole Nancarrow	Commissioner
Blake Cevering	Commissioner
Scott Barker	Commissioner

STAFF:

Monalisa Wald	Administrative Assistant
Rob Scott	City Planner

VISITORS:

Sandra Call	Lynn Call	Brent Barker	Carolee Barker
Jeff Fullmer	Andy Hubbard		

REGULAR MEETING

Chairman Waite called the meeting to order at 6:31 p.m. Chairman Waite offered the invocation and Commissioner Mason led the audience in the Pledge of Allegiance.

1. **ROLL CALL**

Chairman Waite conducted roll call and indicated that Vice-Chairman Thomas and Commissioner Prisbrey have been excused.

2. **MINUTES APPROVAL**

Commissioner Nancarrow made a motion to approve the minutes of the July 12, 2017 meeting as presented. Commissioner Barker seconded the motion.

Voting on the motion:

Chairman Waite	yes
Commissioner Mason	yes
Commissioner Nancarrow	yes
Commissioner Cevering	yes
Commissioner Barker	yes

The motion carried.

3. **OPENING MEETING STATEMENT**

City Planner Scott read the open meeting statement as approved by the Planning Commission prior to commencing discussion of administrative and legislative items

4. **EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE**

Chairman Waite asked if any member needs to declare a conflict of interest or disclose any ex parte communications in which they have engaged. All Commissioners present indicated they had nothing to disclose.

5. **PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

There were no public comments.

6. **ADMINISTRATIVE ITEMS:**

a. SUB 2016-08 Consideration and action on an administrative application for final approval of the Canyon Vista Subdivision, 2nd amendment.

A staff memo from City Planner Scott explained when the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has a limited degree of discretion. Examples of administrative applications are conditional use permits, design reviews, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

The applicant is requesting final approval of the Canyon Vista Subdivision, 2nd amendment. The applicant is requesting to realign and pipe a portion of the existing Ogden Hole – North Ogden Canyon drainage. (See Exhibits A, B, & C)

The Planning Commission continued this item at their February 15, 2017 meeting in order to finalize the stream design with the City Engineer and obtain a stream alteration permit from the State of Utah. The City Engineer has approved the design and the stream alteration permit has been approved. (See Exhibits D and E)

The existing channel diagonally crosses lots 47 and 48 before going west. The proposal is to pipe the existing channel where it meets lot 48 and extend it south to the south boundary of lot 48. The channel then reemerges along the south side of lots 48, 47, and 46 before going into the detention basin. A 30 foot wide stream and drainage easement is shown over the channel location.

Normally this application would be considered a minor subdivision review, however, because of the interest from adjoining property owners in the future of this channel it was deemed appropriate to bring this amendment before the Planning Commission.

The memo offered the following summary of potential Planning Commission considerations:

- Does the proposed subdivision meet the requirements of the applicable City subdivision and zoning ordinances?

The memo discussed the application's conformance to the General Plan; the proposed subdivision amendment meets the requirements of the applicable North Ogden City ordinances and conforms to the North Ogden City General Plan. The General Plan map calls for this property to be developed as low density residential. The R-1-10 zone is part of this designation.

Recommended conditions of approval include meeting the following:

- Requirements of the North Ogden City Engineer's Report.
- Requirements listed in this Staff Report.

The memo concluded staff recommends final approval of the Canyon Vista Subdivision, 2nd Amendment subject to the requirements of the City Engineer's report and Staff report.

Mr. Scott reviewed his staff memo.

Commissioner Cevering referenced the drainage in the southeast corner of the development and asked if it will be piped or an open channel. Mr. Scott identified the location where the channel will be open moving to the west. He emphasized that a portion of the drainage is currently an open stream and the amount of open channel will be increased if the application is approved.

Commissioner Mason stated that during previous discussion of this agenda item there was much public concern regarding the size of pipe used to accommodate drainage; the application was tabled for a number of reasons. Mr. Scott stated that is correct and staff took those concerns into consideration when working on the application with the City Engineer; he discussed the alterations that have been made to the plan relative to drainage and the size of the detention basin in the area and indicated that he believes the alterations have addressed the concerns previously raised. Chairman Waite and Commissioner Nancarrow indicated their agreement that the amended application addressed the concerns previously raised.

Commissioner Barker inquired as to the number of existing trees that will be preserved on the site. Andy Hubbard, Great Basin Engineering, stated that the developer will save as many existing trees as possible, but construction on some areas of the site will result in removal of some of the trees. Commissioner Mason stated that one of the conditions of the order of the State Engineer was to preserve as many of the existing trees as possible. Mr. Hubbard stated that is correct and all contractors working onsite have been made aware of that and other requirements of the State Engineer. He also pointed out that modifications to the stream channel will only occur on the applicant's property and not on abutting properties. He also identified the portion of the stream that will remain open.

Commissioner Mason inquired as to the applicant's plan to plant new trees or other vegetation upon removal of some of the existing trees. Mr. Hubbard referenced a detailed vegetation reclamation plan associated with the project geared towards proper direction of the stream bed and native vegetation of the banks. He indicated he has not spoken with the developer about planting any new trees.

Commissioner Cevering asked if it is correct that the southern boundary of the creek will not be impacted; the only potential impact on existing residents could be the loss of trees on the north side of the creek. Mr. Hubbard stated that is correct; the developer will do everything in his power to save all trees on the south side of the creek.

Chairman Waite stated that he is concerned about alteration of the creek bed that includes a 90 degree turn where there was not one before. He asked how that will be managed. Mr. Hubbard stated that clay liner will be used along with proper grading near the drainage box and pipe.

Commissioner Nancarrow asked if property owners to the south currently have a natural stream running through their properties and, if so, will they continue to maintain that. Mr. Hubbard referenced an aerial map of the subject property and identified the current location of the stream bed; expansion of the existing stream will take place on the

developer's property, but some existing owners will have the benefit of a wider stream where one was not previously present.

Chairman Waite opened the public hearing at 6:51 p.m.

Sandra Call, 1152 E. 2650 N., stated that she and her husband have gone to great measures to landscape the waterway where it traverses her property. She asked how the proposed development will impact those improvements and if any of the rocks that they have placed along the stream bed will be removed. Commissioner Cevering asked Ms. Call to identify her property on the Google earth image of the area, which she did. Ms. Hubbard stated that he does not anticipate any adjustments to the stream bed abutting the Call property. Ms. Call stated the retention pond is directly behind her property. Mr. Hubbard stated that is correct and indicated the natural stream will continue to flow into the basin. Ms. Call stated that she and her husband have placed a bridge over the stream and she asked if that will be removed. Mr. Hubbard stated he can confirm with the developer, but he does not anticipate the removal or relocation of the bridge for any reason.

Lynn Call, 1152 E. 2650 N., stated he appreciates the Planning Commission considering the recommendations and concerns expressed by the citizens who spoke during the last meeting in which this project was discussed. He indicated that he has since contacted the developer and engineer for the project regarding the weeds in the detention pond that have become problematic as of late; since then, the weeds have been abated and he thanked the applicant for that. In regards to the detention pond, it is his understanding that it will be seeded with grass seed and maintained and he asked if that is correct. Mr. Hubbard stated the design plans call for the pond to be irrigated and either sodded or seeded with some sort of grass seed, though he is not positive of the timing of that aspect of the project.

Jeff Fullmer, 1136 E. 2650 N., echoed Mr. Call's expression of gratitude to City staff, the Planning Commission, and the applicant for their response to the concerns expressed by the residents. He referenced the area of the subject property where the water is routed into the lots to the east of the development and back into the natural stream and asked if a concrete barrier will be installed in, that are to address concerns related to erosion as a result of high water levels. He also asked how the water reentering the stream will be addressed. Mr. Hubbard stated that during the last discussion of this application, there was a focus on the use of rip rap on the south side of the channel at the detention area and he will reiterate those comments to the developer. He added that in the area referenced by Mr. Fullmer, water will enter the new channel straight on with no turns in the area of the eastern properties; this design should eliminate any erosion problems.

Commissioner Mason addressed the residents in attendance and recommended that they review the minutes of this meeting and the previous meeting during which this item was discussed; there they can also read the order issued by the State Engineer relating to relocation of the stream. The order sets clear parameters for the project and should give residents confidence in what is being required of the applicant.

There were no additional persons appearing to be heard.

Commissioner Mason made a motion to grant final approval of application SUB 2016-08, administrative application for final approval of the Canyon Vista Subdivision 2nd amendment. Commissioner Barker seconded the motion.

Chairman Waite stated that in his review of the application and amended design, he does not believe that a better plan could have been proposed to address concerns raised regarding the project in the past. Commissioner Barker agreed.

Voting on the motion:

Chairman Waite	yes
Commissioner Mason	yes
Commissioner Nancarrow	yes
Commissioner Cevering	yes
Commissioner Barker	yes

The motion carried.

7. LEGISLATIVE ITEMS:

There were no legislative items listed on the agenda.

8. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no public comments.

9. REMARKS FROM PLANNING COMMISSIONERS

City Planner Scott provided the Commission with information about the upcoming annual City party at the Aquatic Center; it is scheduled for August 16, which is the same night as a Commission meeting and staff is suggesting rescheduling that meeting for August 23. Additionally, the party is funded by contributions made to the Employee Association Fund by City employees; the contribution is \$5.00 per month and if the Planning Commission wishes to contribute, they will be eligible to receive prizes awarded in a raffle drawing.

The Planning Commission engaged in discussion regarding the upcoming Planning Commission meeting calendar and members disclosed conflicts they have with scheduled meetings. They concluded to reschedule the August meetings to the second and fourth Wednesdays, August 9 and 23.

Commissioner Nancarrow made a motion to reschedule August meeting dates to the 2nd and 4th Wednesdays, (i.e. August 9th and 23rd). Commissioner Mason seconded the motion.

Voting on the motion:

Chairman Waite	yes
Commissioner Mason	yes
Commissioner Nancarrow	yes
Commissioner Cevering	yes
Commissioner Barker	yes

The motion carried.

10. REPORT OF CITY PLANNER

City Planner Scott provided the Commission with a report of the recent actions of the City Council, including the following projects:

- Maverik Rezone/Site Plan Application.
- Status of Village at Prominence Point/Annexation of old Country Boy Dairy property into North Ogden City.
- Form Based Code.
- Passage of the land use permit ordinance.

Mr. Scott also facilitated a brief discussion about work underway by staff relative to landscape design standards for properties fronting Washington Boulevard; this could be a component of the Form Based Code.

Mr. Scott reported on recent efforts to implement an application/project tracking program known as iWorqs.

Commissioner Mason referenced the popularity of the pickleball courts located in Pleasant View City.

11. REMARKS FROM CITY ATTORNEY

Mr. Call was excused/absent.

12. ADJOURNMENT

Commissioner Nancarrow moved to adjourn the meeting. Commissioner Barker seconded the motion. All voted in favor.

Voting on the motion:

Chairman Waite	yes
Commissioner Mason	yes
Commissioner Nancarrow	yes
Commissioner Cevering	yes
Commissioner Barker	yes

The motion carried.

The meeting adjourned at 7:32 pm

Don Waite

Planning Commission Chair

Monalisa Wald

Monalisa Wald

Administrative Assistant

Aug. 9, 2017

Date approved