

**NORTH OGDEN PLANNING COMMISSION
MEETING MINUTES
February 5, 2020**

The North Ogden Planning Commission convened in a regular meeting on February 5, 2020 at 6:33 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 January 31, 2020. Notice of the annual meeting schedule was published in the Standard-Examiner on December 22, 2020.

COMMISSIONERS:

Eric Thomas	Chairman
Brandon Mason	Vice-Chairman
Lisa Arner	Commissioner - Excused
Scott Barker	Commissioner
Alan Lunt	Commissioner
Nicole Nancarrow	Commissioner
Don Waite	Commissioner

STAFF:

Rob Scott	City Planner
Susan Nance	Deputy City Recorder
Jon Call	City Attorney/Administrator
Brandon Bell	Associate Planner

VISITORS:

Stefanie Casey
Kevin Burns

REGULAR MEETING

Chairman Thomas called the meeting to order at 6:33 p.m. Commissioner Lunt offered the invocation and Vice-Chairman Barker led the Pledge of Allegiance.

1. **ROLL CALL**

Chairman Thomas conducted the roll call and indicated Commissioner Arner has been excused from the meeting

2. **MINUTES CONSIDERATION**

a. consideration to approve the January 22, 2020, Planning Commission Meeting minutes

Commissioner Nancarrow made a motion to approve the January 22, 2020 minutes. Commissioner Barker seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Waite	aye

The motion carried.

3. **OPENING MEETING STATEMENT**

Commissioner Mason made a motion to move items 6 and 7 to the consent agenda and to forgo the reading of the opening meeting statement. Commissioner Lunt seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Waite	aye

The motion carried.

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

Chairman Thomas indicated he has a conflict of interest in relation to items six and seven and he will not vote on those items. He then asked if any other member of the Commission

needed to declare conflicts of interest or ex parte communications. No additional disclosures were made.

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

Stefanie Casey, 2444 Barker Parkway, referenced agenda item six dealing with the Village at Prominence Point and the projects relationship with Coldwater Creek. The drainage for the project impacts the Creek and as the project continues and more hard space is added to the area, the drainage into the Creek will grow. She suggested the City address this issue before it gets out of control. She added that residents and representatives of Trout Unlimited visited the detention basin on the south side of the project area. Following that visit, they tried to locate permits for the basin. She asked if the City is able to provide confirmation that the permits were secured. She added that requiring the planting of certain plants in the bottom of the basin will help to filter the water.

Vice-Chairman Mason asked for more information about the drainage from the Village at Prominence Point project into the Creek. Ms. Casey stated that on 1700 North, behind the large lodge building, the water is collecting. It flows through a grate and a pipe that runs directly into Coldwater Creek. The water is not being filtered at all. She added that documentation regarding the projects indicates that storm drainage infrastructure in 1700 North will be used to drain water from the project, but it is still flowing into the Creek. This water picks up any pollutant on the ground and deposits it into the Creek without filtering. There was a brief discussion between Ms. Casey and the Commission regarding permitting requirements and the conditions placed upon the developer pertaining to onsite detention and storm water drainage in 1700 North, after which Planning Director Scott indicated that City Engineer Gardner has required final improvements to the detention basin, irrigation, and landscaping as part of the final approval of phase three of the project, which is on the agenda tonight. He stated he is unsure of the design of these improvements and if the Commission wants more information, he can invite Mr. Gardner to a future meeting to discuss further. He added there have been efforts to move storm water infrastructure away from natural waterways to address pollution issues.

Mayor Berube thanked Chairman Thomas and Vice-Chairman Mason for their willingness to continue serving as members of the City's Planning Commission. He appreciates their knowledge and service they provide to the community. Vice-Chairman Mason stated it is an honor to serve. Chairman Thomas concurred.

Changed to Consent Agenda from Administrative Items:

CONSENT AGENDA:

6. **Consideration and action on an administrative application for final approval of the Village at Prominence Point, Phase 3 Subdivision located at approximately 1850 North 300 East.**

A staff memo from Planning Director 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.

BACKGROUND

The applicant is requesting final approval of the Village at Prominence Point, Phase 3. The applicant received preliminary approval on September 4, 2019. A development agreement amendment was approved by the City Council on September 24, 2019 adjusting the number of townhome units and apartments.

The applicant is requesting preliminary approval of the Village at Prominence Point, Phase 3 Subdivision, a 54-lot subdivision located at approximately 1700 North 300 East. All 54 lots are to be townhomes.

The property is currently vacant and is adjacent to Phases 1 and 2 of the Village at Prominence Point on the north, The Lodge at North Ogden retirement community is on the west, commercial to the east, and residential/vacant lands to the south.

The 54 townhome lots are comprised of seven buildings, five 8-plexes and two 7-plexes. The townhome lots range between 16 and 21 feet in width and 47 feet in depth. The buildings have a maximum height of 45 feet. The front setback is a minimum of 20 feet and the rear setback minimum is 30 feet. Lots 132 and 133 have been redesigned to meet the 30-foot rear setback. Exhibit L referenced as Exhibit E gives the separation between units. The applicant will need to provide a verification of those dimensions. (See Exhibits A, B, and E)

A Technical Review Committee meeting was held for this proposal on June 17, 2019. The City Engineer has submitted a report dated January 27, 2020 that summarizes the status of the approval requirements (See Exhibits C and D). The applicant has provided a geotechnical report. Will-serve letters from Pineview Irrigation for secondary irrigation and from Central Weber Sewer District for sanitary sewer have been submitted.

The subdivision is part of the Village at Prominence Point project. The development agreement specifies design and operational standards in addition to the zoning ordinance. A companion site plan review will be conducted by the Mayor and Planning Director. The landscape plan and site lighting plan must also be approved by the Planning Commission and will also be forthcoming in a separate review.

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

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

The proposed subdivision 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 Mixed-use / Multi-family / Commercial.

Recommended conditions of approval include:

- Requirements of the North Ogden City Engineer's Report.
- Requirements of the TRC Meeting Notes.
- Requirements listed in this Staff Report.
- Obtain a development agreement amendment for the revised standards.

The memo concluded staff recommends final approval of the Village at Prominence Point, Phase 3 subdivision. The approval is subject to the requirements of the Village at Prominence Point Development Agreement, City Engineer's report, Technical Review Committee, and this Staff Report.

The site plan approval is forthcoming by the Mayor and Planning Director. The Planning Commission will be reviewing the landscape plan and lighting plan in a future meeting.

Commissioner Barker asked if a motion regarding this item can include a condition to address the drainage issues raised by Ms. Casey earlier in the meeting. Chairman Thomas answered yes. Commissioner Nancarrow stated she feels that the motion can reference all conditions of approval listed in the staff report and require compliance with the development agreement for the project.

Commissioner Waite stated that he has additional questions about parking. The original development agreement for the project references shared parking between the residential uses and the commercial uses that were planned for Washington Boulevard frontage. He asked if lack of parking has been considered given the changes in the development patterns on Washington Boulevard. Mr. Scott stated that will be evaluated during the site plan review step of this process.

7. **Consideration and action on an administrative application for preliminary and final approval of the Village at Prominence Point, 385 East Road Dedication located at approximately 385 East and 1800 North.**

A staff memo from Planning Director 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 preliminary and final approval of the Village at Prominence Point, 385 East Road Dedication located at approximately 385 East and 1800 North. The purpose of this subdivision is to identify interior roadway access within the Village at Prominence Point project. All of the streets and drives within the project are privately owned and maintained. However, a subdivision is necessary to define the location of 385 East. The applicant has verified that the location of the roadway is consistent with the concept plan found in the development agreement.

385 East is projected to have commercial projects to the east and apartment buildings to the west. A site plan is required for those projects. The applicant is responsible for the location of this roadway along with all impacts on surrounding developable parcels. North Ogden City staff cannot verify sufficient development space for the VPP project as they have not been included in the exhibits provided.

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

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

The proposed subdivision 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 Mixed-use/Multi-family/Commercial.

Recommended conditions of approval include:

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

The memo concluded staff recommends preliminary and final approval of the Village at Prominence Point, 385 East Road Dedication plat. The approval is subject to the requirements of the Village at Prominence Point Development Agreement, City Engineer's report, Technical Review Committee, and this Staff Report.

Commissioner Mason made a motion to approve the consent agenda items: final approval of the Village at Prominence Point Phase 3, and preliminary and final approval of the Village at Prominence Point 385 East road dedication, based on the findings and subject to the conditions listed in the staff report and drawing special attention to the water drainage issues discussed earlier in the meeting. Also, asking that staff follow up on parking requirements for the project. Commissioner Waite seconded the motion.

Voting on the motion:

Chairman Thomas	abstained
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Waite	aye

The motion carried.

Chairman Thomas thanked the Commission for their deliberation regarding the two consent items dealing with Village at Prominence Point. In regard to the drainage issues, he informed staff that the pipe intended to serve the project extends the entire length of 1700 North and across Washington Boulevard and, similar to Coldwater Creek, it drains a huge chunk of the

eastern portion of North Ogden. There was previously a ditch that was piped to handle a drainage and it is a 36-inch pipe. The flow of water goes into a drainage box if certain flow levels are exceeded, the water will back up into the pond. The small steady flow will continue into the Creek, just as other drainage channels in the City. Vice-Chairman Mason stated that the difference between the water in that pipe and the water coming directly from the Village at Prominence Point project is that the water in the pipe is not flowing over blacktop and picking up all the pollutants present. Chairman Thomas stated the comment was made that it is necessary to address the water at its source, but it is important to communicate that there are many other sources feeding the Creek. He added that this is an issue that can also be discussed further as the City considers the implementation of low-impact design (LID) standards.

8. **PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA:**

There were no public comments.

9. **REMARKS FROM PLANNING COMMISSIONERS:**

Commissioner Barker stated he is pleased that Chairman Thomas and Vice-Chairman Mason have been reappointed to the Commission. Commissioner Nancarrow agreed and indicated that the leadership of both Chairman Thomas and Vice-Chairman Mason are valuable and their contributions are critical.

Vice-Chairman Mason stated he would like for Planning staff to evaluate the viability of loading and unloading zones standards in future commercial, residential, and mixed-use projects. This is a tool that could be used to reduce parking requirements given the current trends in ride-share transportation options.

Chairman Thomas stated the discussion regarding whether storage units are an appropriate use at the southern entrance into the City continues. He asked the Commission to be prepared to discuss this matter in an upcoming meeting. This includes a focus on the vision for the area surrounding the intersection of 1700 North and Washington Boulevard and design/development standards for storage units if the City determines this use should be allowed. Vice-Chairman Mason stated that the use is currently strictly prohibited in the City's zoning ordinance. He does not feel the use should be disallowed in North Ogden, thought it is industrial in nature and it is necessary to identify appropriate areas of the City and require that the developer of a storage unit project enter into a development agreement ensuring a 'high-end' look for the project. This led to philosophical discussion and debate regarding the land use and the amount of staff time and resources that should be spent on the issue. Mr. Scott advised that at the very least, it is appropriate to include design standards in the City's zoning ordinance. The precursor for an individual to secure the authority to build storage units is to rezone their property to allow the land use. The Commission concluded they would like to see what kind of design standards staff could formulate for consideration at a future meeting.

10. REPORT OF CITY PLANNER:

Mr. Scott noted the Commission will be asked to consider election of officers during their next meeting. He added it will also be necessary to change the Commission’s rules of procedure to call out the change in City policy to allow for a ‘thought, supplication, praise, thanksgiving, reading, or invocation’ at the opening of each meeting. In the past, agendas for public meetings have only identified the opportunity for an individual to provide an invocation.

11. REMARKS FROM CITY MANAGER/ATTORNEY:

City Manager/Attorney Call provided the Commission with a status update for the Washington Boulevard/2600 North widening project. The Utah Department of Transportation (UDOT) is formulating the Request for Proposals (RFP) document to be published and construction should begin later this year.

12. ADJOURNMENT


Commissioner Barker made a motion to adjourn the meeting. Commissioner Nancarrow seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Barker	aye
Commissioner Lunt	aye
Commissioner Nancarrow	aye
Commissioner Waite	aye

The motion carried.

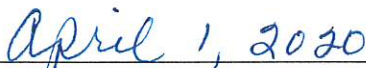
The meeting adjourned at 7:15 pm



Planning Commission Chair



Administrative Assistant



Date approved