

**MINUTES OF A REGULAR PLEASANT VIEW CITY
PLANNING COMMISSION MEETING HELD
DECEMBER 7, 2023**

[Planning Commission Meeting \(youtube.com\)](#) Part 1
[Planning Commission Meeting \(youtube.com\)](#) Part 2

MEMBERS PRESENT

Andy Nef
Dean Stokes
Jeff Bolingbroke
Julie Farr
Manya Stolrow
David Gossner
Sean Wilkinson

VISITORS

Geneva Blanchard
Ryker Wells
Bill Sneddon
Jason Bowen
John Carroll
Citizens from the community

EXCUSED

Chad Kotter

MINUTES PREPARED BY:

Brooke Smith, MMC
1/7/2024

STAFF PRESENT

Amy Mabey, City Administrator
Brandon Bell, Planning and Zoning Administrator

MINUTES APPROVED:

March 7, 2024

Commission Chair, Andy Nef, called the meeting to order at 6 pm

1. CALL TO ORDER

- a. Pledge of Allegiance and Opening Prayer, Reading or Expression of Thought.
(Commissioner Andy Nef)**
- b. Declaration of Conflicts of Interest.**

Commissioner Nef welcomed the audience. The meeting started with the pledge of allegiance and a prayer.

Commissioner Nef asked for conflicts of interest. No conflicts were disclosed.

2. MEETIGN MINUTES APPROVAL

Consideration for approval of meeting minutes for the July 7, 2022, May 4, 2023, September 5, 2023, and October 5, 2023 meetings.

A motion was made to postpone approval of the meeting minutes. The motion was seconded. All in favor. Motion passed.

3. ADMINISTRATIVE ITEMS

- a. Consideration of a site plan for Hot Iron Commercial at approximately 1145 West 2700 North**

Staff Presentation

City Planner Brandon Bell presented the site plan to the Planning Commission. He noted that a large portion of the site already has an approved site plan and operating businesses. The proposed building site plan conforms to setback requirements.

There was discussion regarding the landscape code requirement for a 20 ft landscaped front yard area. The code states this area shall be landscaped except for access drives. Staff interpreted access drives to mean drives accessing the site from the street. The drive-through lanes would not qualify as access drives from the staff's perspective. If the second drive-through lane is eliminated, the site plan could meet the 20 ft requirement.

Several other site plans in the C-2 zone have been required to meet this 20 ft landscape buffer recently. Mountain View Clinic was cited as an example of a property that does not have a raised landscaped buffer.

The building height is compliant at 25 ft. A dumpster is provided. The landscape plan exceeds the 15% minimum site landscape requirement at 20.3%. The applicant obtained a secondary water letter but it requires drought-resistant landscaping. Staff recommended allowing adjustments to meet this requirement if needed.

Regarding parking, two proposed suites are sit-down restaurants which require more parking. With the office use, the code would require 39 total stalls. The applicant identified 40 stalls, some of which are existing stalls being allotted from the adjacent approved site plan area. The parking agreement allows the sharing of parking between the users.

Staff noted the Planning Commission has discretion on parking requirements and could require an amended parking agreement if desired. Additional lighting may be needed for the new parking areas. Overall staff recommended approval with several conditions to address outstanding issues.

Applicant Presentation

The applicant Geneva Blanchard addressed the Commission. On parking, she stated the users keep different hours so parking is shared. The parking lot is typically only a quarter to a third full.

On landscaping, the applicant disagreed that the drive-through lanes do not qualify as access drives, which are excluded from the 20 ft requirement. No other buildings on 2700 North have a 20 ft landscape buffer or 2.5 ft berm. This would make their building look out of place.

Losing a drive-through lane would likely cause them to lose a tenant and make the project unfeasible. The applicant would consider waiting for an ordinance modification but needs direction to move forward.

Commission Discussion

The Commission debated whether the drive-through lanes qualify as access drives, which would exempt them from the 20 ft landscaped area requirement. Some felt the ordinance should be followed until it is reviewed and changed.

Others noted the site plan aligns with the adjacent Scooter's Coffee drive-through lane, which appears to be around 10 ft. It was unclear if Scooter's was interpreted as an access drive when approved. Some felt the drive-through was more of an access than parking.

The Commission determined parking is adequate based on the sharing agreement and site history. No additional lighting was required, but staff could review lighting plans when submitted.

Motion and Vote

A motion was made to approve the site plan eliminating the 20 ft landscape area requirement, finding parking adequate, and adding one extra light on the west side of the building. Additionally, the staff recommendations would be followed.

The motion was amended to change the added lighting from optional to required per the parking lot lighting ordinance.

The motion passed 6-1, approving the site plan with the conditions outlined.

STAFF RECOMMENDATION

Items to Be Addressed and Resolved:

- *The Commission should determine if the 20' landscaping area is required, and work with the applicant to determine a path forward to achieve it, if so. Adjustment to the landscape plan should also be permitted, to accommodate the 20' landscape area, if it is determined that the 20' landscaping area is required at the front of the site.*
- *The Commission should determine if the parking provided by the applicant is sufficient, or if not, the appropriate amount of parking to be required by the applicant, for the proposed and existing uses (as detailed earlier in this Staff Report). One tool for addressing this issue includes requiring an adjusted parking agreement for the site.*
- *The Planning Commission should determine if the applicant should add additional parking lot lighting.*
- *The Planning Commission should work with the applicant to determine if a dumpster is needed on site.*

If a satisfactory resolution is provided to the above items (with any conditions of approval, related to such resolution), Staff recommends approval of the site plan and building elevations for Hot Iron Commercial with the following conditions and corrections:

- *Any adjustments to the site plan and landscaping plan required to implement solutions to the above items, or any other conditions of approval, including but not limited to adjustment of the width of the landscaping area, and similar issues.
The applicant provide a distance from the existing curb on the north side of the parking lot, or from a rear property line, for construction purposes.*
- *Staff further recommends that minor adjustments to the landscaping be delegated to be approved by Staff, in case there are issues relating to conflict between tree root zones, and water line placement, and similar issues.*
- *Staff further recommends that if the parking agreement needs to be adjusted, Certificate of Occupancies should not be issued for the building as part of this site plan, prior to the number of additional stalls determined to be needed for the uses in this building being constructed and provided.*
- *If required, any additional parking lot lighting needs to be added to the civil plans, in order to meet the lighting requirement.*
- *Staff also recommends that a 2.5' berm needs to be provided per code, per City Code as part of the approved plans.*

- *Minor adjustment to the building location, within the requirements of City Code, that do not affect setbacks, landscaping requirements, or parking layout.*
- *Requirements of the City Engineer's review memo & plan notes/redlines*
- *Requirements of the Fire Marshall's review memo*
- *Necessary signatures, building permits, or certificates of occupancy, will not be provided or issued by the City until the conditions of approval of any site plan approval granted are met. Keeping this in mind will assist in moving the applicant towards the City being able to issue building permits, etc. for the project on this site.*

b. Consideration of a site plan for Rocky Mountain Dental (Building Addition) at 2703 North Parkland Boulevard

Staff Presentation

Brandon Bell presented the site plan to the Commission. He stated that with the proposed building addition, the existing parking would still meet the required amount per code for office use.

The proposed addition meets setback requirements. The building height is within the maximum of 5 stories or 65 ft allowed. The applicant demonstrated 59.9% landscaping, exceeding the 15% minimum.

Staff recommended approval of the site plan for the building addition, with conditions allowing minor variations to the building footprint and height within setbacks. Pending the engineering assessment for stormwater detention which still needed to be completed.

Applicant Discussion

The Commission asked the applicant about the purpose of the addition. The applicant, Ryker Wells, stated it would add space for potential specialized dental services, but the parking needs would remain similar.

Commission Discussion

Discussions emphasized the need for thorough engineering evaluation concerning stormwater detention in line with left-side property developments. Members unanimously approved the site plan, subject to staff recommendations, focusing on adherence to zoning codes, parking sufficiency, and potential facility expansions.

Motion and Vote

The Planning Commission voted unanimously to approve the site plan amendment subject to staff recommendations.

STAFF RECOMMENDATION

City staff recommends approval of the proposed site plan in accordance with the city's zoning code, with the following recommended conditions of approval:

1. *Allowing minor variation of building footprint and or height within setback/while still meeting setback and height requirements.*
2. *Approval of civil engineering issues, such as stormwater at the discretion of Staff, after Planning Commission approval, of the site plan, with any minor adjustments to the site plan,*

necessary to execute the stormwater retention requirements without reducing parking stalls, etc.

4. LEGISLATIVE ITEMS

- a. Proposed Zoning Map Amendment – A-5 Agricultural to RE-20 Residential**
 - i. Staff Presentation (Planning & Zoning Administrator, Brandon Bell)**
 - ii. Public Hearing**
 - iii. Consider a recommendation to City Council regarding rezoning property from A-5 to RE-20 at approximately 1100 West and 4300 North. Weber County Parcels: 160120026 and 160120073**

Staff Presentation

Brandon Bell presented the zoning map amendment application to the Planning Commission. The applicant proposed rezoning two undeveloped parcels totaling approximately 154 acres from the A-5 Zone to the RE-20 Zone. The A-5 Zone requires 5-acre lots, while RE-20 allows 20,000-square-foot lots for single-family homes.

The applicant submitted a concept plan showing 18 residential lots, but the subdivision is not under consideration tonight. The issue is whether the rezone is appropriate based on consistency with the City's General Plan and Future Land Use Map.

The Future Land Use Map designates this area as Rural Residential 5, specifying 1 unit per 5 acres. The General Plan states the area north of 4300 N should have an emphasis on preserving its rural character and open spaces. Higher density development could impact stormwater, watershed, and geology.

A portion of the site is also near the Little Missouri Springs water source protection area. The Public Works Director noted the infrastructure plans are based on the current lower-density zoning.

Staff recommended the rezone to RE-20 is not consistent with the General Plan's guidance that this area should be 5 acres or larger lots. The Planning Commission should determine if the rezone aligns with the Future Land Use Map and make a recommendation to the City Council.

Applicant Presentation

The applicant stated the intent is only to rezone a small portion of the property compatible with adjacent development. The concept plan shows staying outside of the Little Missouri Springs protection area. The rezoning would allow the dedication of a road and improvements to 4300 N to address complaints. It would overall benefit the City.

The applicant argued the current 5-acre zoning is not economically feasible without rural road standards. They encouraged the Planning Commission to adopt rural road standards regardless of the rezoning decision.

Citizen Comments

Citizen 1 - Unknown

The first citizen noted the county has geological hazard maps that show issues like unstable soils in the area proposed for development. She was concerned about risks like sinkholes based on the maps. The citizens felt the Planning Commission should review these maps before approving development. She also described an issue with a collapsing retaining wall downstream from the site related to water flows.

Citizen 2 – William S.

William stated the land does not have the environmental issues some claim. He noted houses already exist nearby across the street. The citizens felt the rezone would benefit the city through tax revenue and road improvements. He clarified they only want to rezone a small portion, not the full 154 acres.

Citizen 3 - Nichalos C.

Nichalos C. owns two lots at the intersection where new houses are proposed. He bought the land expecting 5-acre lots. He is opposed to rezoning to half-acre lots, which would not match Pleasant View's rural character. He acknowledged development will occur eventually but implored the Commission to retain the 5-acre zoning.

Citizen 4 - Cole Abbot

Cole Abbot stated Pleasant View is highly ranked for quality of life. He felt the proposed half-acre lots would add to, not detract from, the community. The citizen argued development of this land is inevitable and the Commission should facilitate planned development.

Citizen 5 - Unknown

This citizen noted flooding previously occurred on 1100 West until utilities and development helped mitigate it. He argued the developer would engineer the land to be safe if rezoned. The citizen believes the land will eventually develop regardless.

Citizen 6 - Justin Baker

Justin Baker lives downstream in Deer Crest. He would prefer to be involved in planning development rather than having an outside developer dictate it. He could support R-20 zoning but not anything smaller.

Citizen 7 - Unknown

The seventh citizen has spent significant time visiting the land in question. He noted issues with erosion and retaining walls on nearby developments. He asked the Commission to respect existing plans and ordinances by denying the rezoning.

Citizen 8 - Jonathan Bridge

Jonathan Bridge owns the property where a retaining wall collapsed from water flows. He acknowledged arguments on both sides but felt the rezone could impact the city's character. He wants to ensure infrastructure and routes can handle added development.

Citizen 9 - Christopher

Christopher asked the Commission to respect existing ordinances and land use plans in their decision.

Citizen 10 - Chad Jones

Chad Jones described issues with snow removal and erosion on land he owns above the site. He recognized development will occur but infrastructure is needed to manage runoff and water flows.

Citizen 11 - Adam Crowler

Adam Crowler lives across 4300 North from the site. He acknowledged concerns but felt the property was appropriate for R-20 zoning. Proper engineering could mitigate issues. His main concerns are dust and better maintenance of 4300 North.

Citizen 12 - Mike Jensen

Mike Jensen works for the developer. He argued that 5-acre lots are not economically feasible given the high infrastructure costs. Roads need to be paid for by development and taxes on 5-acre lots cannot cover maintenance costs.

Citizen 13 - Rex

Rex, part owner of the development site, invited the Commission to walk the land. He felt the concerns were overblown. Rex said Pleasant View's zoning had to change in the past to allow existing development. He felt they could mitigate concerns with proper planning.

Citizen 14 - Ann Harrington

Ann Harrington is concerned smaller lots will impact groundwater recharge and wells. She also argued Pleasant View lacks the infrastructure to handle denser development and smaller lots.

Commission Discussion

After closing the public hearing, the Planning Commission had additional discussion about the rezoning request. It was noted that three additional comments from the public were received and read by the commission before the meeting.

One commissioner noted that improving the road for just 9 proposed lots would not create a meaningful new route off the hillside. He felt a general plan amendment should be pursued first before the rezoning request.

Another commissioner stated the Future Land Use Map and General Plan adopted by citizens is clear, and the Commission should adhere to it. Clustered development that protects sensitive lands could still occur under the current zoning.

There were questions about whether secondary water required by a new ordinance could even be provided to the site under Pineview ownership.

One commissioner acknowledged arguments on both sides but felt the General Plan requirements should guide their decision.

Motion and Vote

A motion was made to recommend the City Council deny the request to rezone the property at approximately 1100 W and 4300 N from A-5 to RE-20 based on inconsistency with the General Plan's Future Land Use Map.

The motion was seconded.

In the final vote, the Planning Commission voted 6-1 in favor of recommending denial of the rezoning request to the City Council.

Staff Recommendation:

This area is designated with the Rural Residential – 5 land use classification in the General Plan. The staff recommendation is that the RE-20 zone applied for is not consistent with the land use classification shown on the Future Land Use Map of the General Plan, which is clear in calling for zoning with a 5-acre minimum lot size in this area, which conflicts with the 20,000 square foot lot size permitted for single-family residences in the proposed RE-20 zoning classification of RE-20.

The Planning Commission should determine whether the Commission considers the RE-20 Zone is compatible with the Future Land Use Map and the General Plan and makes a recommendation to the City Council.

- b. Proposed General Plan Amendment Amending the Master Streets Map**
 - i. Staff Presentation (City Administrator, Amy Mabey)**
 - ii. Public Hearing**
 - iii. Consider a recommendation to the City Council to amend the Master Street Map as part of the General Plan**

Staff Presentation

City Manager, Amy Maybe presented the proposal to amend the Master Street Plan component of the City's General Plan. The current plan requires a roadway along Highway 89 based on a corridor agreement with UDOT. This provides secondary access to Highway 89 parcels.

The amendment would modify the road alignment to extend Stonefield Way northeast to a permanent access point on Highway 89 approved by UDOT. This provides access without bisecting the property in question. Staff is comfortable with the change as it maintains Highway 89 access. The recommendation is a 70-foot right-of-way to match the existing Stonefield Way width.

Applicant Presentation

The applicants, Jason Bowen and John Carroll support realigning the road but have concerns with requiring 70 feet since the existing right-of-way to the south is only 50 feet. They request to reduce

the width to 30 feet. A 30-foot public access was previously approved by UDOT and the city for their site plan.

Commission Discussion

The Commission discussed the width requirements, noting that 30 feet allows ingress/egress but may not accommodate larger trucks and traffic in the industrial area. Staff clarified the right-of-way includes sidewalks and park strips beyond just the asphalt width. Many residential roads have 60-foot rights-of-way.

One commissioner preferred fewer connections to Highway 89 to reduce congestion. Another noted they are only evaluating the Master Street Plan, not a site plan.

Motion and Vote

A motion was made to recommend approval of the Master Street Plan amendment as proposed by staff, with a 70-foot right-of-way. The motion passed unanimously.

**c. Discussion on Land Use Amendment Regarding Conditional Use Permits In A Sensitive Area (Sensitive Lands) – Item Recommended by Staff to be Tabled for Further Research
i. Public Hearing (Item was noticed for a public hearing).**

Item 4C regarding a proposed land use amendment was brought before the commission.

Motion to Table and Vote

A motion was made to table further discussion and vote on the amendment until a later date. The Motion to Table passed unanimously.

Discussion

The reasoning provided was that certain provisions within the city's zoning ordinance pertaining to this amendment were unclear and required further clarification and review from staff before bringing a revised proposal forward for consideration. Specifically, it was noted that the language, as currently written, does not apply to a certain unidentified site that is expected to have multiple development applications submitted in the near future. Taking additional time to revise the ordinance language was deemed prudent to avoid a cumbersome review process for those anticipated projects.

5. REMARKS FROM COMMISSIONER AND/OR STAFF

During the final remarks of the meeting, the commission engaged in a discussion with staff regarding sensitive land regulations and potential conservation districts. Staff highlighted the challenges in applying sensitive land regulations broadly across the city. They emphasized the need to consider broadening these regulations and reassessing their impact.

Commission members discussed various issues, including the ratio of support for and opposition against certain developments, referencing the impact of COVID-19 on population growth in Utah and its relevance to city planning. They deliberated on balancing development with preserving natural resources and considered future plan amendments to accommodate Utah's growth.

The discussions touched upon affordable housing, infrastructure, water supply, and the need for a comprehensive approach to city planning. Members emphasized the importance of smart

development, cluster housing, conservation, and access to amenities like biking trails and open spaces.

The meeting also covered the significance of aligning development plans with the city's infrastructure capacity, addressing stormwater management, and updating subdivision ordinances to simplify regulations and comply with state requirements.

6. ADJOURNMENT

A motion was made to adjourn the meeting.