

Minutes of the Ogden City Planning Commission meeting held January 3, 2024. Meeting was conducted by Chair Sandau and began at 5:00pm.

Members Present: Jenny Sandau, Chair
Cathy Blaisdell, Vice-Chair
Rick Safsten
Mandy Shale
Jeremy Shinoda
Rick Southwick
Michelle Williams

Members Excused: Jordan Aaberg

Staff Present: Barton Brierley, Planning Manager
Joseph Simpson, Deputy Planning Manager
Brandon Rypien, Sr. Planner
Damian Rodriguez, Planner
Jannette Borklund, Admin. Asst.
James Tanner, Assistant City Attorney
Dalton Richins, Engineering
Russ Eldridge, Engineering

Others Present: Jeremy Krause Alyn Paradis David Rawson
Julie VanOrden Fred Goddard Pete Previte
Gary Singleton Denny Goddard Tammi Creager
Michelle Singleton David S. Montgomery Travis Taylor
Anna Keogh

1. Approve Agenda
2. Consent Agenda
 - A. Approval of the Minutes of the regular meeting held December 6, 2023
3. Request for Street Name Change, for 1500 West to 3030 South
4. Preliminary Group Dwelling/Conditional Use Permit for Dylan's Townhomes, 1245 Monroe Boulevard.
5. Public Hearing, Petition to Rezone, from R-3/C-2 to R-2S property at 335 7th Street.
6. Public Hearing, Proposed General Plan Amendment, for the Lynn Area Community Plan.

Review of Correspondence (if any)

Reports: Landmarks Commission – Mandy Shale
Citizen Advisory – Rick Southwick
Ogden Trails Network – Michelle Williams

Review of Meeting

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1. Approve Agenda

As there were no changes to the agenda, a motion was made by Commissioner Blaisdell to approve the agenda. Motion was seconded by Commissioner Safsten and passed unanimously.
 2. Consent Agenda
 - A. Approval of the Minutes of the regular meeting held December 6, 2023

A motion was made by Commissioner Safsten to approve the minutes as prepared. Motion was seconded by Commissioner Shinoda and passed unanimously.
 3. Request for Street Name Change, for 1500 West to 3030 South

Mr. Russ Eldridge stated Ogden City has made this request to help navigate this area. He stated after the small subdivision was recorded, the owner had acknowledged the numbering system should be changed but never pursued an application. Now, there is confusion using GIS to access addresses in the area because most streets coming from Midland Drive have a north-south address rather than east-west. Changing the numbering to 3030 South will better fit the grid system of the area and assist in emergency access and other data base information. Only three existing properties will be affected by the name change.

Mr. Rodriguez stated the Commission is to determine whether there is good cause for the proposed name change by considering whether it will eliminate duplication and avoid confusion. He identified the location of other sections of 1500 West, stating this section would not make a connection and the change would reduce confusion of drivers as it would better match the existing grid system. He stated the street terminates in a cul-de-sac and is limited to a length of 290'. The change would be consistent to other streets coming from Midland Drive. Staff recommends approval as there is good cause in that it does eliminate duplication of street numbering on the Weber County grid and would avoid confusion which would have a negative impact on providing emergency services. Existing property owners have been notified of this request and invited to this meeting.

MOTION: A motion was made by Commissioner Southwick to recommend approval of the street name change based on the findings it will eliminate duplication and confusion with emergency services as good cause for the name change. Motion was seconded by Commissioner Blaisdell and passed unanimously with Commissioners Blaisdell, Safsten, Shale, Shinoda, Southwick, Williams and Sandau voting aye.

4. Preliminary Group Dwelling/Conditional Use Permit for Dylan's Townhomes, 1245 Monroe Boulevard.

Mr. Jeremy Krause he has purchased property to the south of Dylan's Restaurant and desires to construct 14 multi-family residential units.

Mr. Simpson stated the request is for a preliminary group dwelling project, with this action to determine whether the standards of the ordinance can be satisfied, and typically it is not a thorough review, but identifies conditions which must be satisfied. The Commission will later review a final group dwelling to assure those conditions are able to be completed. The property is zoned R-3 and is currently vacant. Besides the restaurant, other surrounding land uses are a day care to the north as well as some commercial/multi-family to the east. He noted the property division between this parcel and Dylan's had not been properly platted, and a row of parking spaces for the restaurant extends onto this property. The applicant is proposing to relocate the property line to allow its continued use in the future which will reduce the lot area from 1.08 acres to .99 acres. The zone boundary line also is required to be adjusted so the Dylan's is contained on commercial property while the townhomes will be multi-family residential. Staff recommends the subdivision process be completed to move the property line and have the correct boundaries recorded.

The proposal is for two-story townhomes, consisting of a seven-plex, two three-story duplexes and one triplex. He reviewed the group dwelling standards, indicating while several modifications must be made, including eliminating one unit. The ordinance notes that a higher separation is required when there are three stories. Each of the units is proposed to have a two-car attached garage, stating space available does not allow enough space for two cars. In addition, garbage is required to be screened, and if using roll-out trash cans, space must either be available in the garage, or a wall or plantings be shown to assure they are screened from the public view. The group dwelling code also requires at least one vehicle charging station, bicycle storage and other site amenities which are not

yet shown. The project also is required to have perimeter screening fence, which should be either vinyl or masonry. A detailed landscaping plan has not yet been prepared which will need to identify irrigation plans, planting materials and locations, with a maximum of 20% to be turf grass. Gathering spaces are to be identified as amenities and sidewalks leading to amenity and parking areas are to be a minimum of 6' in width.

He reviewed the proposed building façade stating hipped roofs with dormer windows are proposed with covered entryways. The code also requires buildings to face the public street, and the sevenplex proposed does not and will need to be reoriented or the design changed to have a front appearance. There also are minimum glazing requirements for units facing a public street. The proposed material provides a stone base on all four sides as required. Floor plan must show each unit will have laundry hook-ups. Staff recommendation is for the conditional use permit/preliminary group dwelling be approved, subject to satisfying all department staff review comments, including the following conditions:

1. The density requirements be met for the project – 13-units maximum for the proposed 43,474 square foot property.
2. The north property line of the project be resolved through a small subdivision plat process.
3. A rezone petition process be completed to have the CP-1, 12th Street Corridor Overlay zone, and the R-3 zone boundary lines follow the north property line of the project.
4. The south setback for the south building be met (40' for 3-story building).
5. Installing an entrance monument sign and associated landscaping at the main drive entrance on Monroe Blvd.
6. Bicycle parking and storage requirements be met.
7. Electric vehicle charging station requirements be met.
8. Two side-by-side parking stalls be provided for each dwelling unit on the site.
9. Laundry hook-ups be provided in each dwelling unit.
10. All exterior lighting be contained on the property.
11. All utilities be screened from view along Monroe Blvd.
12. All dumpsters be enclosed and screened from view within a 6' tall masonry wall enclosure with solid metal gates that match the design, colors, and materials of the buildings within the project. If private roll-out cans are to be used, space be provided within the attached two-car garages to store two roll-out cans.
13. The building along Monroe Blvd. orient towards the street by having a well-defined front building elevation facing the street, having attention given to the front door, porch, windows, and roofline designs.
14. The buildings meet the minimum 20% glazing requirements and the brick wainscot on the buildings be extended up to the top of the first level on all sides of the buildings.
15. Roof pitches be at 4:12 or greater.
16. A financial guarantee contract be established with Ogden City for landscaping and engineering improvements.
17. A 6' tall vinyl or masonry fence be installed along the sides and rear property lines, excluding the front yard setback along Monroe Blvd. that matches the design and colors of the buildings within the project.
18. Detailed landscaping and irrigation plans be provided that meet all code requirements – landscaping and open space amenities be installed on the site meeting code requirements.
19. 6' wide sidewalks be installed throughout the project that connects the front doors of each unit with on-site parking, open space amenities, and the sidewalk along Monroe Blvd. and include crosswalks at any driveway connection points.
20. Plans be provided that show details of all the site amenities (benches, bicycle racks, pavilions, dog

parks, playground equipment, etc.).

21. Storm water pollution prevention plan (SWPPP) requirements be met.
22. All addressing, utility, irrigation, sewer, and storm water requirements be met.
23. Building division grading and drainage requirements be met.
24. Fire access requirements be met.
25. The applicant submits plans and information that addresses all of the preliminary group dwelling review requirements prior to going to the planning commission for final group dwelling approval.

Commissioner Blaisdell asked about the proposed location of gathering areas and what is proposed. She also asked as the number of units exceeds the allowed density, whether that would alter the site plan. She also noted due to canyon winds in this area, vinyl fencing is likely not able to withstand weather and recommended perimeter fencing be masonry. Mr. Simpson stated it is not identified on the plan except for a patio with seating at the Monroe entryway, stating a better gathering place should be designed. Commissioner Southwick asked if they would be rentals or owner-occupied. Mr. Krause indicated the intent is to have them subdivided to allow individual purchase after construction and clarified there will be a HOA developed to assure amenities are cared for.

MOTION: A motion was made by Commissioner Safsten to approve the conditional use permit and to grant preliminary group dwelling approval based on the findings it can meet the density and minimum lot area requirements if limited to 13 units and can satisfy the group dwelling standards, can provide adequate interior traffic circulation and would not adversely impact neighboring properties with screening to be provided and the proposed architectural style is compatible with the area. Approval is subject to satisfying all departmental staff review comments, including but not limited to the following:

1. The density requirements be met for the project – 13-units maximum for the proposed 43,474 square foot property.
2. The north property line of the project be resolved through a small subdivision plat process.
3. A rezone petition process be completed to have the CP-1, 12th Street Corridor Overlay zone, and the R-3 zone boundary lines follow the north property line of the project.
4. The south setback for the south building be met (40' for 3-story building).
5. Installing an entrance monument sign and associated landscaping at the main drive entrance on Monroe Blvd.
6. Bicycle parking and storage requirements be met.
7. Electric vehicle charging station requirements be met.
8. Two side-by-side parking stalls be provided for each dwelling unit on the site.
9. Laundry hook-ups be provided in each dwelling unit.
10. All exterior lighting be contained on the property.
11. All utilities be screened from view along Monroe Blvd.
12. All dumpsters be enclosed and screened from view within a 6' tall masonry wall enclosure with solid metal gates that match the design, colors, and materials of the buildings within the project. If private roll-out cans are to be used, space be provided within the attached two-car garages to store two roll-out cans.
13. The building along Monroe Blvd. orient towards the street by having a well-defined front building elevation facing the street, having attention given to the front door, porch, windows, and roofline designs.
14. The buildings meet the minimum 20% glazing requirements and the brick wainscot

on the buildings be extended up to the top of the first level on all sides of the buildings.

15. Roof pitches be at 4:12 or greater.
16. A financial guarantee contract be established with Ogden City for landscaping and engineering improvements.
17. A 6' tall vinyl or masonry fence be installed along the sides and rear property lines, excluding the front yard setback along Monroe Blvd. that matches the design and colors of the buildings within the project.
18. Detailed landscaping and irrigation plans be provided that meet all code requirements – landscaping and open space amenities be installed on the site meeting code requirements.
19. 6' wide sidewalks be installed throughout the project that connects the front doors of each unit with on-site parking, open space amenities, and the sidewalk along Monroe Blvd. and include crosswalks at any driveway connection points.
20. Plans be provided that show details of all the site amenities (benches, bicycle racks, pavilions, dog parks, playground equipment, etc.).
21. Storm water pollution prevention plan (SWPPP) requirements be met.
22. All addressing, utility, irrigation, sewer, and storm water requirements be met.
23. Building division grading and drainage requirements be met.
24. Fire access requirements be met.
25. The applicant submits plans and information that addresses all of the preliminary group dwelling review requirements prior to going to the planning commission for final group dwelling approval.

Motion was seconded by Commissioner Southwick and passed unanimously with Commissioners Blaisdell, Safsten, Shale, Shinoda, Southwick, Williams and Sandau voting aye.

5. Public Hearing, Petition to Rezone, from R-3/C-2 to R-2S property at 335 7th Street.

Mr. Travis Taylor stated this property is currently in two separate zones and the desire is that it be rezoned to R-2S which would allow individual ownership.

Mr. Simpson indicated in considering this zone change, the Commission is to determine whether it is consistent with the General Plan, the Lynn Community Plan and the Community Policies. He stated the property is currently several parcels which would be combined to become one project, stating commercial zoning is on the east and multi-family residential on the west. Property to the west is single-family residential. The rezoning as proposed would bring all lots into a single zone, and would provide a transition between the commercial and residential uses and definite edges can be created. No options are shown for future development in the existing Lynn Community Plan, but Staff feels the proposed zone creates an infill opportunity for the property to be developed. The property is currently somewhat isolated, and its redevelopment would improve connections in the area. He reviewed the purpose and intent of the R-2S zone, stating it is to provide moderate density residential options for small lots to allow single and two-family as well as row houses with emphasis on home ownership of individual units.

He stated the project may develop as a group dwelling, which would require perimeter fencing which would help define zone boundaries, and the increased setbacks would buffer existing homes to the west. Additional standards in the group dwelling code include items such as amenities and gathering areas as well as review of building materials and site plan design. He stated the number of units in the R-2S would be limited to 36 while the existing zones would allow up to 45 units. Staff

recommends approval of the propose rezone as requested.

Commission felt this is a good location for a small infill project, noting it would allow fewer units than the existing zone. They also discussed other uses which would be allowed in the commercial zone.

As there were no public comments, a motion was made by Commissioner Southwick to close the public hearing. Motion was seconded by Commissioner Blaisdell and passed unanimously.

MOTION: A motion was made by Commissioner Shinoda to recommend approval of the petition to rezone from C-2/R-4 to R-2S based on the findings it is consistent with the General Plan, the community policies contained in the General Plan and the Lynn Community Plan. Motion was seconded by Commissioner Southwick and passed unanimously with Commissioners Blaisdell, Safsten, Shale, Shinoda, Southwick, Williams and Sandau voting aye.

6. Public Hearing, Proposed General Plan Amendment, for the Lynn Area Community Plan.

Mr. Rypien stated the City Council had directed Staff to consider changes to the Lynn Community Plan to recognize its history and heritage. He stated the Lynn Plan was first adopted in 1986 and has had some amendments made since that time and is now becoming a location for residential growth. In considering plan amendments, the Commission determines whether conditions in the area are changing enough to warrant a plan amendment and whether it would be a benefit to the surrounding community. After receiving input from area residents, the City Council has asked amendment language be added to recognize the history of the area. Staff has identified historic sites and monuments in the area, stating many homes were within the walls of the Bingham Fort, which was one of the first forts constructed by early settlers. He stated the existing plan language does not encourage their protection.

He stated a town meeting was held in March at which time a survey was conducted which determined those in attendance were in favor of retaining the historic heritage of the area. These recommendations also have been presented to both the Weber Heritage Foundation and the City Landmarks Commission and gained their support.

He reviewed potential language to be added to the Plan to identify the historic area as well as to protect particular areas from future development. He noted the original plan identifies the need for a future park west of Wall Avenue which might be an opportunity to create space where the significant features of the area might be identified and recognized with monuments and/or historic markers. Proposed language also recommends existing structures could be incorporated into new development when considering rezoning in the area. It also suggests more homes be added to the Ogden register of historic resources and consideration given as to whether or not it is appropriate do create a historic district in the area. Staff recommends approval of the amendments to the Lynn Community Plan as proposed.

Mr. Pete Previte, 215 W, 2nd Street, expressed concern with the proposed language, indicating all residents are not in favor of preserving this area. He stated while there are seven or eight historic homes, there are more than 500 homes in the area. He stated he supports the historic farm and park, but indicated 2nd Street in this area was designed with two lanes in each direction as a corridor to the BDO property to the west, and as BDO continues to grow, the need for the transit corridor will increase. He felt designation as a historic district is not needed for the entire community, and due to development, it is too late.

Mr. Lane McFarland stated while he does not live in this community, he owns property on the northeast corner of 2nd and Wall. He stated while there are historic markers on his property, he wants to protect his investment in these structures and asked if the language proposed would affect his property rights or the value of the properties. He stated while they are residential rentals now, he may want to pursue other options in the future and wanted to be assured he be compensated if other development would be restricted.

Ms. Tami Creager, 159 W. 2nd Street stated she had reviewed the proposed language on the website and felt it would not prohibit future development of individual properties, but recognizes it as a rare and culturally rich area. She felt there needs to be a balance between recognizing the historic features of the area while still allowing development to occur. She expressed appreciation and support of the language as proposed.

Ms. Anna Keogh, 301 W. 2nd Street, felt the language would not restrict future development but would identify and protect the past history of the area. She stated area residents have been successful in installing monuments to recognize the Shoshone camp as well as the historic farms, with 17 historic markers in the area. This area has adobe homes, stone homes and a log cabin, which may be some of the oldest homes remaining in Ogden City. She expressed support for the proposed plan amendment.

Ms. Julie VanOrden, 215 W. 2nd Street, expressed opposition to the plan amendment, stating the survey referred to by Staff was not scientific and not representative of the overall community. She stated Weber County and Ogden City had signed an interlocal agreement to support a FrontRunner station at the intersection of 2nd Street and BDO, stating there is a need for mass transit to serve the BDO and the surrounding community should allow higher density and more housing along this access road. She felt the language is biased towards the history advocates and should not address sentiment. While she felt it important to preserve history, options for the future still need to be available for property owners. She indicated she is not opposed to the placement of historic markers for homes in the area, but felt the language may reduce freedom for the use of land in the future.

Mr. Sam Cougar stated he lives on Wall Avenue and a new multi-family project is being constructed next to his property. He stated there is a lane has been used by residents to the rear and hoped the lane can be preserved to provide a safer access to the elementary school. He supports the plan, stating he has learned a lot of history about the area since he moved here.

Mr. Dave Montgomery, 317 W. 2nd Street, stated he is a 5th generation farmer on the property and appreciates the history of the area, but the history and the future both can be identified and allow room for future development. He felt private property owners would have the right to do what they want with their property while still identifying and recognizing the heritage of the area.

Mr. Nick Milford, 2510 Washington Boulevard #612, felt the scope of the historic language could be reduced to refer to the particular area rather than the entire community. He felt preservation of historic buildings is the prerogative of the property owner, and felt while specific buildings might be identified, the entire West 2nd Street area. He felt the concept of creating historical elements in a public park would be a great way to preserve the history of the area while allowing growth to continue.

Ms. Laura McFarland stated they had purchased property in this area as an investment and want to be assured that investment is protected by allowing the homes to be rented or redeveloped for a better use in the future. She did not want any freedoms to be lost.

As there were no additional comments, a motion was made by Commissioner Blaisdell to close the public hearing. Motion was seconded by Commissioner Shinoda and passed unanimously.

Commissioner Safsten referred to paragraph 23 which indicates historically significant lands should be protected and asked if there is a definition of what is "historically significant. Mr. Rypien responded the direction for conservation is a choice of the individual property owner and is not initiated by Ogden City. He noted there already is an agricultural conservation easement on property in the area and future buyers of that property would be bound by its regulations. Other properties in the area may or may not be designated as historic and their future use would be the right of the property owner to determine. He stated the Community Plan is not a required code, but serves as a guiding document for future development. The language proposed would not require creation of additional neighborhood conservation districts or historic designation of homes. He also addressed the process of creating historic districts, stating reconnaissance surveys would be required which could identify whether or not there are enough significantly historic properties to create a district.

Commissioner Southwick expressed he felt the language is too broad and could affect individual property rights of residents in the area. He suggested the language needs more work to become more narrowly crafted and did not support the language as proposed. He stated there are other areas within the community which might be older, but not necessarily historically significant. He particularly identified potential renovations to the 4th Street Ball Park complex which could be identified as historic. He felt there is a need to support historic preservation but felt more work should be done before the plan is approved.

MOTION: A motion was made by Commissioner Southwick to table action and allow additional review at a work session. Motion was seconded by Commissioner Williams and passed 6-1 with Commissioners Blaisdell, Shale, Shinoda, Southwick, Williams and Sandau voting aye and Commissioner Safsten voting no. Commissioner Safsten indicated he is not against the plan amendment but wanted those in attendance to be involved as it continues through the process.

MOTION: A motion was then made by Commissioner Williams to re-open the public hearing. Motion was seconded by Commissioner Southwick and passed unanimously.

Commission presented some questions to be addressed by Staff and were encouraged to contact him during the next few weeks if they have other ideas or concerns which should be addressed. The main concern is that no existing property rights would be lost. The future traffic needs along 2nd Street should also be acknowledged and Staff was directed to determine whether a FrontRunner station will be coming in the future.

Mr. Brierley indicated the plan will be discussed during the work session on January 17th and while it is a public meeting, the Commission does not allow input. It will again be placed on the regular meeting agenda for February 7th.

Review of Correspondence (if any) Mr. Brierley stated no correspondence has been received.

Reports: Landmarks Commission – Mandy Shale stated new paint was approved for the Nicholas Market on 25th Street as well as new signage for the Union Bus Depot building at 25th & Grant. The Landmarks Commission did not approve a proposed designation for a proposed new district to be created between 24th and 27th Streets from Adams to Jefferson Avenue.

Citizen Advisory – Rick Southwick reported there was no meeting.
Ogden Trails Network – Michelle Williams reported there was no meeting.

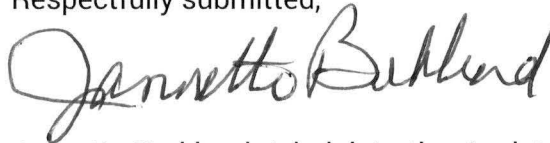
Review of Meeting

Both legal and planning staff felt the meeting went well and had no comments.

Mr. Brierley indicated the work session will be held on January 17th and will discuss potential changes to Historic 25th Street and Union Square in addition to further discussion on the Lynn Community Plan. Recognition will also be done for former Commission members Bryan Schade and Dave Graf.

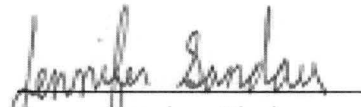
There being no additional business before the Commission, the meeting was adjourned at 6:36pm.

Respectfully submitted,



Jannette Borklund, Administrative Assistant III

Approved: 2/7/2024
(date)


Jenny Sandau, Chair