

**MINUTES OF A REGULAR PLEASANT VIEW CITY
PLANNING COMMISSION MEETING HELD
MAY 2, 2024 at 6:00 P.M.**

[Planning Commission \(youtube.com\)](https://www.youtube.com/watch?v=...)

MEMBERS PRESENT

Andy Nef
Dean Stokes
Jeff Bolingbroke
Julie Farr *Excused
Manya Stolrow
Chad Kotter
David Gossner
Sean Wilkinson

STAFF PRESENT

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

VISITORS

MINUTES PREPARED BY:

Brooke Smith, MMC
May 6, 2024

MINUTES APPROVED:

June 8, 2024

1. CALL TO ORDER

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

Call to Order

Commissioner Nef called the meeting to order at 6:00 pm

Pledge of Allegiance and Opening Prayer, Reading or Expression of Thought

Commissioner Kotter led the attendees in reciting the Pledge of Allegiance, followed by prayer. He expressed gratitude for the opportunity to meet and serve the community, acknowledging the sacrifices made by those who came before them.

Declaration of Conflicts of Interest

No declarations of conflicts of interest were made during the meeting.

3. ADMINISTRATIVE ITEMS

- a. Consideration and action on Peakview Planned Unit Development (PUD) 1st Amendment Subdivision Amendment (Planning & Zoning Administrator, Brandon Bell)**

The Planning Commission moved on to address an administrative item concerning the Peakview Planned Unit Development (PUD) 1st Amendment Subdivision Amendment.

Brandon Bell, the Pleasant View Planner, presented the proposal for a Subdivision Amendment. The amendment aimed to make a minor adjustment to a previously approved Subdivision plat, specifically regarding the boundary between existing lots and common areas. Brandon Bell explained that this adjustment fell under the category of a Subdivision amendment according to state and city codes, despite the lot boundary being adjacent to the common area.

The proposed amendment involved adjusting the boundary between the common area for a detention basin and an existing lot labeled as lot eight. Brandon Bell highlighted the implications of this adjustment, particularly regarding municipal utility easements, which required additional consideration under state law. He clarified that while the Planning Commission would review all aspects of the plan, the amendment related to municipal utilities would be considered by the City Council at a later date.

Staff recommendations included finalizing the exact location of the property line adjustment contingent upon resolving issues with the detention basin. Additionally, staff advised working with the Weber County surveyor's office to ensure compliance with state law regarding plat descriptions and adjustments. Brandon Bell emphasized that the proposed changes were minor and aimed at streamlining processes.

During the discussion, questions arose regarding the proposed changes and their implications for the site's capacity and engineering requirements. Brandon Bell and Amy Mabey provided clarifications regarding the adjustments' technical aspects and their anticipated impact.

MOTION

Following the discussion, a motion was made to approve the Peakview Planned Unit Development (PUD) 1st Amendment Subdivision Amendment, with the caveat that the municipal utility easement issue would be addressed by the City Council. The motion also included acceptance of all staff recommendations, allowing the staff to further adjust the property line if necessary. The motion was seconded, and a unanimous voice vote in favor was recorded.

STAFF RECOMMENDATIONS:

Staff recommends that the Planning Commission approve all aspects of the subdivision amendment plat, except the portion involving a Municipal Utility Easement. The amendment of the M.U.E is subject to the review and approval of City Council. For the remainder of the plat Staff recommends approval subject to the following recommended conditions:

- The Planning Commission should make clear that the Planning Commission, if recommending approval of the plat, is reserving approval of the Municipal Utility Easement (M.U.E.) amendment for the City Council.*
- Staff recommends that further adjustments to the property line be permitted to be made, if necessary to accommodate the needed capacity of the detention basin, prior to recording, and so long as it does not cause the site plan to violate any applicable ordinances.*
- The plat needs to be adjusted to include only the area that is being affected. Staff recommends that the applicant work with Staff and Weber County to determine what that area is.*
- Additionally, the applicant needs to continue to work with the Weber County Surveyor's office, regarding any adjustments to the plat that are needed, until the plat is recorded. Approval of the plat is subject to any changes required by the Weber County Surveyor's office.*
- The applicant should include a description noting the differences between the amended plat and the original plat if this information is not included already. This is a requirement of state law.*

- *Conditions of the Engineer's review memo or comments. Any additional comments provided by the City Engineer to the plat may be addressed prior to recording.*
- *Any other adjustments necessary to record the plat.*

b. Consideration and action on Site Plan / Conditional Use Permit for Burt Brothers Automotive Service use (Planning & Zoning Administrator, Brandon Bell)

1. Public Hearing

Brandon Bell, the Pleasant View City Planner, presented the site plan associated with a recently approved subdivision amendment. The site plan was for an automotive service use in the C2 commercial zone, which requires a conditional use permit. Bell outlined the setback requirements, noting that the building met the 20-foot front setback, but the parking was 18 feet 10 inches from the front property line. He recommended shifting the parking southward to meet the 20-foot setback.

Regarding the side setback adjacent to the common area to the east, Brandon Bell stated that the staff's position was that the 20-foot setback requirement should not apply since the common area is listed on the plat as such rather than a natural stream. However, he noted that the parking could remain as shown in relation to the common area.

Brandon Bell also mentioned that he had initially missed a 10-foot rear setback requirement along the south end of the lot bordering the detention basin. He recommended moving the dumpster location to comply with this setback. Additionally, he pointed out that the curb cut was likely too close to the sidewalk and would need adjustment to meet the 20-foot requirement while maintaining a similar parking layout.

On landscaping, Brandon Bell stated that the applicant had met the square footage and tree requirements globally, but staff requested the inclusion of trees shown on a prior plan along the east side of the detention basin.

Brandon Bell calculated 36 required parking stalls based on the automotive bays and retail space, while the applicant provided 35 stalls. However, he noted that the city ordinance allows flexibility with alternate data, which the applicant was prepared to present. Parking lot lighting would also be required per the code.

Staff recommendations included reconciling any civil engineering differences between plan versions, maintaining the landscape plan, incorporating fire marshal requirements, obtaining final city engineer approval, allowing minor adjustments for setbacks and parking stalls based on plat adjustments, and delegating final landscaping review to staff.

PUBLIC HEARING

A motion to open the hearing up to the public was made.

During the public hearing, someone inquired about noticing requirements, which Brandon Bell clarified were met through state and city website postings, with no distance mailing requirements.

No additional comments were made and the public hearing was closed.

DISCUSSION

After the public hearing was closed, Brandon Bell, the Pleasant View City Planner, wanted to clarify some additional staff recommendations that were not included in the written report. He stated that trees should be added on the east side of the detention basin as per the 2022 landscape plan. Another recommendation was that the site access could be moved to meet the 20-foot setback requirement from the lot line. Brandon Bell also noted that some of the proposed changes might result in minor adjustments to the number of parking stalls, potentially up to four stalls, and he wanted to ensure the commission was okay with that possibility.

A commissioner then raised a question about the detention area, expressing concern that it might hold water for a good part of the year and inquiring if any fencing would be required around it. Brandon Bell explained that due to the height of the retaining wall for the detention basin, once it exceeds 42 inches, fencing would be required adjacent to any potential walking areas. He clarified that the fencing requirement was based on the wall height rather than water issues, and he believed the fencing would encompass the entire site.

The commissioner sought further input on concerns about detention areas, citing the example of a fenced detention area near a school at a nearby Walmart. The developer then chimed in, stating that the new plans aimed to raise the elevation of the detention basin's bottom to prevent standing water, as the original approved plans had issues with water not draining properly due to groundwater levels. The developer assured that with the new design, there should not be any water issues, and the primary concern would be a fall hazard, which would be addressed per building code requirements for railings or fencing.

Amy Mabey, City Manager, explained that the detention basin was designed to drain properly, and there would be follow-ups with the development group to ensure compliance. She also mentioned that the city engineer, though not present, was aware of the issue and had been working to address it within her purview.

MOTION

A commissioner motioned to approve the site plan with staff's recommendations for engineering, code, and detention requirements. Before seconding the motion, Brandon Bell sought clarification on whether the commission was okay with not requiring the landscape berm he had previously mentioned as unnecessary. With that clarification, the motion was seconded and unanimously approved by the commission.

STAFF RECOMMENDATIONS:

Staff further recommends that the following items be Conditions of Approval:

- *Review and approval by the City Engineer.*
- *Any requirements specified by the Fire Marshall.*
- *Any conditions related to landscaping, based on further research, which will be presented by Staff at Planning Commission.*
- *Minor adjustments to building design, within any setbacks determined to be applicable.*

- *Adjustments to site plan layout determined to be necessary based on any needed adjustments to the plat, within the requirements of City code, and potentially with minimal adjustment of the parking stalls provided.*

4. REMARKS FROM COMMISSIONERS AND/OR STAFF

At the conclusion of the meeting, Commissioner Nef asked if there was anything else the commissioners needed to discuss before adjourning.

A question was asked about fiber installations in the city. City Manager, Amy Mabey, provided insights into the ongoing fiber installations by a company named Connex, which had a franchise agreement with the city. She mentioned that while multiple fiber companies may want to utilize the same infrastructure, they each have unique technologies and assets, as well as legal rights to access utility easements. Amy Mabey also highlighted the challenges posed by space limitations and the need for permits, as well as instances where companies attempted installations without proper permits, leading to enforcement actions.

The commissioners raised questions about the number of fiber companies operating in the city and the potential limit on installations. Amy Mabey explained that it's primarily determined by space limitations and legal rights granted to utility companies. She emphasized the importance of following permitting processes and franchise agreements.

In the closing remarks, the commissioners expressed appreciation for the discussion and questions raised.

5. ADJOURNMENT

The meeting was adjourned with no further items discussed.