

**MINUTES OF A REGULAR PLEASANT VIEW CITY
PLANNING COMMISSION MEETING HELD
SEPTEMBER 5TH, 2024**

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

MEMBERS PRESENT

Jeff Bolingbroke
Julie Farr
Manya Stolrow
David Gossner
Sean Wilkinson
John Morris
Andy Nef (Electronically)

STAFF PRESENT

Amy Mabey, City Administrator
Tammy Eveson, Planner I

VISITORS

Petitioner Jeff Lee
Representative for Peakview Plaza

MINUTES PREPARED BY:

Nitza Osuna (with the help of AI)

MINUTES APPROVED:

March 6, 2025

1. CALL TO ORDER

- a. Pledge of Allegiance and Opening Prayer, Reading or Expression of Thought.**
- b. Declaration of Conflicts of Interest.**

Call to Order

Vice Co-Chairman Farr called the meeting to order. It was noted that Commissioner Nef joined the meeting electronically.

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

The meeting commenced with the Pledge of Allegiance, followed by an opening prayer by Commissioner Sean Wilkinson.

Declaration of Conflicts of Interest

Commissioner Bolingbroke didn't exactly have a conflict but he wanted to note that his property bordered the property in question.

2. PUBLIC HEARINGS – LEGISLATIVE ITEMS AND RECOMMENDATIONS FOR CITY COUNCIL

a. Commercial Planned Unit Development (PUD) Ordinance

Consideration to establish a new Planned Unit Development ordinance and overlay commercial zone. (Amy Mabey, City Administrator)

City Administrator, Amy explains the PUD Ordinance which is a proposed ordinance to establish a new Planned Unit Development (PUD) for commercial purposes in your city. The goal seems to be to address challenges related to the city's growing commercial base and create a framework for more cohesive, well-planned commercial developments.

By implementing this PUD overlay, it would allow for more flexibility in things like shared access, parking, and possibly setbacks, compared to traditional zoning requirements. One of the key issues this PUD aims to address is the requirement for frontage on city street. Typically, commercial

subdivisions require each unit to have direct access to a street, but this can be challenging when dealing with shared access or parking in a larger commercial development. The PUD would offer flexibility here, allowing for the creation of master-planned commercial spaces that may not strictly meet those frontage requirements, but still function effectively as part of a cohesive development. The idea is to make it easier for developers to create commercial spaces that work together better, while still respecting overall zoning rules and permitted uses. Also, any major changes to the site plans or designs would need to go before the Planning Commission or City Council for approval.

Commissioner Wilkins requested a change in language from "otherwise" approval to "prior" approval. A commissioner inquired about what had been done in the past in the absence of this PUD Ordinance. Amy explained that while the subdivision process had been followed, it was messier, and this ordinance provides clarity, particularly with the overlay. There were some questions raised about open space requirements and the origin of the proposed ordinance. Amy clarified that the ordinance was driven by the Development Review Committee (DRC). A commissioner also sought clarification on the public input process, to which Amy responded that the approach follows state law. Typically, public hearings for certain items are held at the Planning Commission level, and once those hearings are completed, the City Council generally does not hold another public hearing on the same issue unless it specifically requires City Council input or a decision. Therefore, if concerns are raised that weren't addressed at the Planning Commission level, the public comment period is usually not reopened at the City Council meeting, unless there is a specific reason. However, the City Council still has the ability to ask questions, discuss, and ultimately approve or modify the proposal.

MOTION TO OPEN PUBLIC HEARING: Commissioner Sean Wilkinson
SECONDED: Commissioner Chad Kotter

PUBLIC COMMENTS:

Tony Pitman – His concern is about the wording in item two, specifically around the phrase "and other compatible uses." The worry is that this language might be too vague and could allow for unintended uses—like apartments—to be considered "compatible" in a development where they might not be desirable, especially outside of mixed-use zones.

Sara Urry (council member) – She also expresses concern regarding the use of the term "compatible uses" and questions what exactly the definition would be of that term.

MOTION TO CLOSE PUBLIC HEARING BY: Commissioner Sean Wilkinson
SECONDED BY: Commissioner Chad Kotter

MOTION TO RECOMMEND APPROVAL WITH CLARIFYING LANGUAGE
COMMISSIONER BY: Commissioner Sean Wilkinson
SECONDED BY: Commissioner Jeff Bolingbroke

- b. R-5 Residential Zone Text Amendment – Consideration of a proposed zone text amendment to the R-5 residential zone to eliminate location restrictions included for the zone. (Amy Mabey, City Administrator)**
- c. General Plan amendment. – Consideration of a proposed General Plan amendment to modify the designation for residential density for 6.31 acres of land located approximately at 475 West Pleasant View Drive, with this modification changing from the current designation of Low Density Residential (2-3 dwelling units per acre) to Medium and Low Density Residential and Agricultural (4-8 dwelling units per acre).**

Amy, the city administrator starts the presentation explaining the proposal. The proposal involves two main changes to zoning and land use in a specific area. The first proposal seeks to eliminate the restriction that limits the R5 zone to the area between 643 West and 800 West, and between 2700 North and 2800 North. The goal is to potentially allow for different types of development or increased density within this area by removing certain zoning limitations. This change would be reviewed by the Planning Commission, which will make a recommendation to the City Council for final approval. Initially, no public comments had been submitted when the memo was created, but since then, three comments opposing the proposal have been received.

The second proposal involves an amendment to the general plan for a 6.31-acre parcel located at approximately 475 West, Pleasant View Drive. Currently, the land is designated for low-density residential use, allowing 2 to 3 dwelling units per acre. The proposal would change the designation to allow for medium and low-density residential development, increasing the allowable density to 4 to 8 dwelling units per acre. The plan also includes reducing the total acreage from 6.31 acres to 4.31 acres, with the intention of creating larger lots (A2-acre lots) as part of the development. This could allow for a mix of housing types, including both higher-density residential units and larger, single-family homes. Similar to the first proposal, this change would require approval by both the Planning Commission and City Council.

A council member raised a concern about whether or not the proposed changes would allow for development in locations that might not conform to existing zoning regulations or pose legal issues. Staff does not see this as a problem, as the land is residential and not commercial, but the Planning Commission has the discretion to decide how the changes should be applied.

Public concern about access roads, specifically the ingress and egress off of 600 West, was also mentioned. The city has ordinances on temporary road turnarounds, but there are exceptions when development is still in progress.

Additionally, the discussion highlighted that the proposal is still in the preliminary stages, and the layout could change to meet City standards. The broader issue is determining the appropriate density for the area. The general plan calls for medium-density residential zoning,

but the zoning ordinance may allow for a range of densities within that category with final density determined at a later stage of the process.

Amy discusses the complexity of land use planning, especially regarding zoning and how it relates to the general plan. The R5 Zone still exists because it serves the needs of an active community that falls under that designation, providing a framework for development within that zone. There's a need for clear parameters to guide decisions and ensure the zoning remains appropriate for the area.

Regarding medium-density residential zoning outlined in the general plan, there's some confusion about whether it directly aligns with the zoning classifications. The general plan offers broad guidelines for what could be suitable in a specific area, but it doesn't dictate exact details. Zoning, which is a more specific designation, takes those general guidelines and applies them in a way that may allow for a range of densities. For example, a zone might allow for a range of 4 to 8 dwelling units per acre, but the exact density (whether it will be closer to 4 or 8) is determined later in the process, during the zoning review stage.

There is more discussion among the commissioners about the role of density and zoning decisions in a city's planning process, specifically how they align with the general plan and whether amendments or exceptions are possible.

Amy tries to explain that the general plan serves as a guiding framework, but it's not legally binding. It's more of a reference point for making decisions, and staff will typically recommend adherence to it. However, if there are proposals that conflict with the general plan, it's possible to request amendments or make specific suggestions to city council about changing the language to allow for different densities or buffers between zones.

The petitioner has a chance to speak. He explained that they purchased the property with the intention of developing part of it to make it financially viable, while keeping the rest of the land as open space. They emphasized that their personal connection to the land, living nearby, and their desire to transition to a new phase in life were significant factors in their decision. The property is well-suited for development, as it has springs and water rights, and several individuals, including members of the city council, had suggested it would be an ideal location for a retirement community. The speaker clarified that the development would not be high-density, despite some concerns in the neighborhood. They also noted that the existing zoning in Pleasant View does not adequately support housing for those transitioning from traditional homes to smaller or more accessible options. As a result, they are proposing a zoning change to better accommodate this need, which aligns with trends of people in the community wanting to age in place.

The petitioner discussed the long-term plan for the property, emphasizing their goal to preserve the option to develop the rest of the land in the future. They acknowledged that, while they enjoy farming now, their children might not share that interest, and they might change their mind in 10 or 20 years. The intention is to keep the ability to develop up to Pleasant Drive, but they do not currently plan on building there. The speaker noted that they would likely retain the other parcels for personal use. Regarding the 650-foot limit, they clarified that they do not want to subdivide the property entirely, as they want to maintain the flexibility to develop the land in a way that could eventually add additional lots.

There was a question whether duplexes or triplexes were allowed. Amy, the city administrator, clarifies that they are not allowed in the proposed zone. Amy mentions that at the moment, only attached accessory apartments are allowed, and that detached ones are still being explored. It also seems that smaller residential zones may be more likely to accommodate attached accessories only.

A commissioner asks if the development would be part of the golf course.

The petitioner replies that the property is adjacent to the golf course and there is potential for development along the border. They mention having already agreed with the golf course to preserve many of the trees for both safety (from golf balls) and aesthetic purposes. The wetlands along the border will also play a role in the development, requiring preservation and accommodation. However, the speaker doesn't see any possibility of building directly onto the golf course itself, as it sounds like that area will remain protected or undeveloped.

MOTION TO OPEN THE PUBLIC HEARING BY: Commissioner David Gossner

SECONDED BY: Commissioner Manya Stolrow

1. Jessica/Resident – Oppose Rezone for medium/higher density
 - Concerned about the wetlands
 - Endangered species
 - Capped off water springs
 - Created a website
 - Believes we are in violation of the:
 1. Utah clean Water act
 2. Migratory bird treaty
2. John Sears /Resident – Oppose Rezone for medium/higher density
 - Concerned about what this means for that community
 - Concerned about high density
 - Will increase traffic for that area
 - Will change the look and feel of the community
3. Allen Dye /Resident – Oppose Rezone for medium/higher density
 - He believes the patio homes could possibly work
 - Does not want to change the zoning to a higher density
4. Russ Anderson/Resident – Oppose Rezone for medium/higher density
 - Ok with patio homes with restrictions
 - Concerned about the zoning changing to a higher density
5. Clint Christensen/Resident – Oppose Rezone for medium/higher density
 - Does understand the property owner has and should have the right to do whatever he wants with his property

- Wants to make sure that citizens concerned are not over looked due to the city having a vested interest
 - He likes the fact that there is a current minimum lot size in the city
 - Likes the established community and aesthetics
6. Cam & Angela Payne/Resident – Oppose Rezone for medium/higher density
- When they moved looked at future land use map for possible development in that field
 - Ok with 1/3 acre lots in that area
 - The higher density would increase traffic which he doesn't believe the current street structures are built for.
7. Cheryl Jacobson/Resident – Oppose Rezone for medium/higher density
- Does not want her current view obstructed by approximately 50 units
 - Concerned about the traffic it would generate on such a small street
 - Concerned residents will not have prior notification if plan is implemented
 - Is aware of State forcing multi-housing but does not agree with it and feels there is plenty multi-housing in the nearby surrounding areas
 - Concerned if there is adequate infrastructure to accommodate all of this multi-housing
8. Brian Hawks/Resident – Oppose Rezone for medium/higher density
- Ok with patio home
 - Concerned about traffic on an already busy road of shady lane

MOTION TO CLOSE PUBLIC HEARING BY: Jeff Bolingbroke

SECONDED BY: Commissioner Manya Stolrow

REMARKS FROM COMMISSIONERS AND/OR STAFF

Amy, the city administrator, clarifies that the current proposal does not involve a rezoning; therefore, the R5 zone will not be applied to the property in question. They acknowledged potential confusion among neighbors but clarified that the proposal aims to allow the R5 zone in other areas of the city and to accommodate higher-density developments as outlined in the general plan. The petitioner noted that there are no vested rights associated with the proposal and stated that they are not advocating for any specific zoning changes, merely providing clarification.

Regarding the removal of location restrictions, a commissioner expressed concern that such wording could make the ordinance applicable to areas beyond its intended scope. They suggested adding specific language to the ordinance to limit its applicability to the front street area and the adjacent street, thereby preventing unintended expansion. However, they also recognized that this approach might necessitate a broader review of the general plan to ensure consistency and avoid frequent amendments.

In response, another commissioner agreed with the concern about potential conflicts with the general plan. They emphasized that adding language specific to the R5 zone without first amending the general plan would create inconsistencies, as the current general plan does not include that density. They recommended that any such changes should be preceded by a general plan amendment to maintain consistency and avoid conflicts.

A concern has been raised regarding the potential for frequent future land use amendments, which could result in continual changes to zoning and land use policies. While these amendments serve as general guides and are subject to change, there is apprehension that the pressure from state mandates may lead to adjustments being made monthly. This could create instability in long-term planning and development, making it difficult for the community to maintain a clear and consistent vision. To address this, it may be beneficial to establish a more predictable review schedule or implement clearer guidelines to reduce the frequency of amendments, ensuring a balance between the necessary flexibility and stability for future development.

There was a question about the timeline of the process.

Amy explains that with input from the housing committee, which includes a few council members and staff. Currently, the process is approximately three quarters of the way through. There was some communication with the petitioner, and it was noted that the timeline for the proposed amendments didn't align with the petitioner's needs, which is why the proposal came forward as it did. The process is still in progress, and one potential option is to proceed with a general plan amendment, while deferring action on the R5 zone and waiting for the necessary language to be developed. However, this language is not yet in place. The commission also has the option to wait entirely or to make a decision now, either approving or denying the proposal as presented. A variety of options remain on the table for consideration.

There was a question about what type of home would be allowed. Amy clarifies that single family homes is what will be allowed in the zone. There is also a question from a commissioner about the density.

Amy explains that There are specific provisions in the general plan, including tables that address density and development specifications. A recent example is the determination made by the Planning Commission and City Council regarding the townhome development. In that case, the City Council decided to move forward with the development, placing a cap on the size due to the broad range of allowable densities in the area. This cap was based on a more definitive description of the density allowable for that specific area. A similar approach could be taken here, where the Planning Commission might recommend to the City Council to limit the density in this area to a set number of units—such as a maximum of four units within the designated range. This would provide clearer guidelines for density in the area moving forward. Amy also clarifies that the concept plan that they are looking at is not what is being approved tonight. It could be a completely different layout. A commissioner points out The future land use map also supports this density range, making it compatible with the surrounding area. There was consensus that there is no need to create new language for the R zone or amend the general plan based on the current proposal, as the existing framework already accommodates this density. Additionally, concerns were raised about the R5 zoning ordinance, which was seen as a one-off exception approved by the City Council for a specific situation. The smaller setbacks in this zoning (5 feet on the sides, 10 feet in the rear) could allow larger homes on smaller lots, which raised concerns about compatibility with the broader area. It was

suggested that this zoning should not be applied elsewhere and should likely be restricted to the original area where it was intended.

Another commissioner acknowledged the increasing pressure to find more housing, particularly in light of state and federal demands. The pressure is partly driven by the state's push to address housing needs, with concerns raised about the potential for withholding federal funding if adequate housing areas are not identified. While there is agreement on the importance of following the general plan, there was acknowledgment that the city may not have the luxury to limit growth given these external pressures. The challenge is balancing the need for housing with maintaining thoughtful, sustainable development.

There was a clarification that there are two items to motion for.

Item b:

MOTION BY: Commissioner David Gossner

To leave text as is and examine another zone that might be more appropriate.

SECONDED BY: Commissioner Chad Kotter

Motion Passes

Item c:

MOTION BY: Commissioner Sean Wilkinson

To recommend denial for the following reason, surrounding zoning is zoned RE-15 and portion A-2 would receive upzone if future land use map is involved.

SECONDED BY: Commissioner David Gossner

Motion Passes

1. PUBLIC HEARINGS – ADMINISTRATIVE ITEMS

a. Site Plan and conditional Use Permit. – Consideration of an application for a conditional Use Permit for a drive – through business located at Peak View Plaza Lot 5 at approximately 2700 North and 400 West.

This item was started by a commissioner asking if the petitioner was present to address a parking question.

There was a lot of concern regarding the proposed traffic flow. Specifically concerning the left turn near the crosswalk where pedestrians are expected to cross. It was noted that in a similar setup at another business, pedestrians often find themselves walking directly in front of cars, creating potential safety hazards. The concern is about the visibility and the direction of the traffic, particularly the ease with which pedestrians might step into the path of oncoming vehicles. The question was raised about how traffic will be directed and whether measures can be put in place to prevent these types of safety issues, as this is a challenge faced by other businesses with similar setups.

The petitioner admits the proposed traffic pattern, while not ideal, will allow access from the right-hand side. To address pedestrian safety concerns, slow-down or stop signs can be installed to help mitigate any potential problems

There was a question on whether it was possible to have an entrance at 400 West. Amy clarifies that there are challenges with UDOT because they are only allowed so many access points from 400 West.

There was a question raised regarding the distance between the proposed development and 2700 West, wondering if there's potential for additional access or traffic signals. However, it was noted that this area is planned for a signalized intersection, and there is skepticism that UDOT would allow additional cross access. The parking plan includes some additional stalls to help with customer access, though there were questions about the traffic flow for delivery trucks. Staff reviewed the proposed plan and did not raise significant concerns, though some issues regarding the drive-thru, ADA access, and sidewalk access points were discussed. The dumpster is located at the bottom corner of the site, enclosed as required by ordinance, and the delivery/pick-up area was designed to accommodate necessary truck movements.

A question was raised about whether the developer has considered adding traffic lanes or safe pathways, such as crosswalks, to allow for easier and safer movement between different parking areas within the development.

The petitioner acknowledged the concern and stated that they have been working to find the safest solution for traffic and pedestrian flow. They noted that they are considering adding hash marks and other measures to direct traffic more effectively.

MOTION TO OPEN PUBLIC HEARING BY: Commissioner Chad Kotter

SECONDED BY: Commissioner Jeff Bolingbroke

NO PUBLIC COMMENTS

MOTION TO CLOSE PUBLIC HEARING: Commissioner Chad Kotter

SECONDED BY: Commissioner Jeff Bolingbroke

MOTION TO TABLE BY: Commissioner David Gossner

MOTION BY: Commissioner Chad Kotter

To approve with developer to create a vehicular and pedestrian traffic safety plan for DRC approval.

SECONDED BY: Commissioner Manya Stolrow

Motion passes.

2. ADJOURNMENT

MOTION TO ADJOURN BY:

The meeting was adjourned with no further items discussed.