

**MINUTES OF A REGULAR PLEASANT VIEW CITY
PLANNING COMMISSION MEETING HELD
April 7, 2022**

MEMBERS PRESENT

Andy Nef
Dan Crandell
David Park
Dean Stokes
James Cummings *aka Jim*
Jeff Bolingbroke
Julie Farr
Manya Stolrow
Sara Urry, City Council
Amy Mabey, City Administrator
Amber Corbridge, Planning & Zoning Administrator

VISITORS

Commission Chair, Andy Nef, called meeting to order at 6:00pm

OPENING PRAYER: Jeff Bolingbroke

PLEDGE OF ALLEGIANCE: Jeff Bolingbroke

DECLARATION OF CONFLICT OF INTEREST: There were no conflicts of interest designations.

CONSENT AGENDA: Jeff moved to approve the agenda. Motion was seconded by Dean, voting was unanimous in favor. Amy stated that the minutes from March 3, 2022 will be presented for the next Planning Commission meeting. There was an issue from the audio and we've had a backlog so we'll present those at the next meeting.

Andy asked if there is a sign in sheet and asked all in attendance to please sign the attendance sheet for our records before they leave at the end of the meeting.

Amy introduced Amber Corbridge as the new Planner. Amber told the commission a little about herself and said she's excited to be in Pleasant View. Andy welcomed Amber.

SCHEDULED ITEMS:

ADMINISTRATIVE

1. Common Consent:
 - a. Site Plan review for a new restaurant, Beto's Mexican Restaurant, at 1120 W 2700 N
 - b. Site Plan review for a new warehouse building at approximately 3155 N HWY 89
 - c. Consideration of the Conditional Use for a new commercial hardware development, SunPro, located at 955 W 2700 N

Andy asked how the common consent items are going to be approved, whether they need recommendation or approval from the Commission. Amber said that the common consent items are just items that already meet the code and the Commission will make a motion on them all together at once. Amber said they are not something that needs to be discussed

unless you feel that one of them needs to be discussed. All three need a decision by the commission based on the staff report. Andy asked how this new process will work. Amber said that there generally isn't a discussion, unless the Commission feels there needs to be one because they meet our codes. Amy said if it's helpful we can do a brief overview of the items. Amber said we could do that in general, but usually we won't do that.

Since it's new to us, Andy said he'd like to see what the Commissioners think. We've had a few different styles given to us over the last couple of months. Andy said he has questions, so let's start with 1a. Julie said she has a couple of questions. Julie asked about the red lined items, one is the dumpster enclosure and the other is the pedestrian walkways, because neither is listed in the original site plan. Amber said to meet the code, we recommended they provide those pedestrian walkways. The red lines were my recommendation on how they provide those. Julie said they can come back and do it in a way that is preferable to them. Julie asked how the Commission goes about passing those changes, would these items then come back to the Commission. Amber said the only reason they come to the Commission is because our code requires it and they're looking at changing the code so that the Commission wouldn't look at items that are permitted because you can't place any conditions on those. Amy said that Amber found some things in the code that need to be updated because there's really no value in them. Because our code says it comes before Planning Commission for approval, but it is permitted, the Commission can't place conditions on these items. Amy said the Commission can ask questions and make requests to the developer. Julie asked when the applicant could move forward and Amber said that all staff report items would need to be corrected before they could move forward. When you make a motion, you say approved with staff recommendations.

Jeff asked about the walkway that goes through the drive-thru and what safety precautions exist. Amber said that she was thinking of a crosswalk. Andy asked Sara for her comments and feedback as the City Council Advisor, even though this is not a Public Hearing. Sara spoke from the back of the room and the audio isn't clear enough to hear what's being said. The transcript off Youtube didn't pick anything up either. Amber said it's always an option to remove an item from the consent agenda to discuss it and we can certainly do that. Andy said this isn't something the Commission was prepared for and that's why there are questions.

Andy asked on the conditions, #6, minimum 2 foot high berm, is that part of the code? Amber said yes, the minimum 2' berm is required along 2700 north and Highway 89. It may have been overlooked in the past. Andy asked if we can add something regarding a sign or is it part of the grand sign on that property, the marquee. Will they have a separate sign, it needs to be known that we have a sign ordinance in place. Amber said we can say they need to meet the sign ordinance. Andy asked if the DRC would please discuss what the plans are for the signs. Andy asked the applicant to come forward. Jorge Aleman spoke from the audience and said there will be monument sign. Audio picked something up from audience, but who said something and what was said was not audible. Andy asked where the sign would be in relation to the berm. Andy said that maybe that's a condition we can place on the staff report. Meet code on signage, and review with the DRC. Audible talking took place from the audience, with nothing discernable for the public record.

Julie said that the site map cuts off the entire right side, which makes it hard for the Commission to look at the plans. In the future can we make sure the entire thing shows for the Commission. Usually we see parking, etc.

1b. Amy pulled up the location and a general overview was given to the Commission. Andy said this is one that we had a big packet that most of the Commission has already probably seen this. Amber said this is for the site plan only, not the subdivision. They will have to come back when they apply for the subdivision. This is in the manufacturing zone and it's a permitted use. The commission will review the subdivision with dividing into two lots in May when they come back. This item also needs to be subject to staff comments. The subdivision will be due to the detention pond. You'll review that next month and I think it's to give it over to the city on the detention.

Conditions may change at the time of the meeting, what is that all about? Amy said the signage, for instance, which is in the code we can make those happen, but we can't add conditions because this is not a conditional use. This will be updated in the code because it's confusing.

Andy asked about how it works with the relationship with the other areas and streets. Andy asked for a quick overview of what the traffic will look like with this application. This morning it was a nightmare with dump trucks almost hitting each other in that area. I know there will be semi's going in and out of there. Amy said the majority of the traffic will go in and out of the west side of the parcel. Where off of 2700 north are they connecting? Andy asked someone in the audience for clarification, but the person did not approach the microphone and audio wasn't picked up, nor was the transcript in youtube. Andy said that it will match up with 1100 West is what Brent Bailey said. 1100 is not the one that's master-planned for a light. Andy said that cleans it up a lot then. Andy said he knows this may not be site plan, but is there still a sewer line that's still open along the back. It hasn't been covered up yet. In years past, that was one of the discussions. Andy said that no site work was to take place until approval has been given. Andy asked if there's any site work taking place yet, it's not supposed to begin until after all approvals have been given.

Andy would like to call out to staff that there is a lot of work going on at that location and staff should look into it because our ordinances specify that no work should be taking place until all approvals have been granted.

Amy said this is continued from the February meeting. Amy said that the engineer's letter is from February 8th. Andy said on page 22 it says in the city comments that no work may commence on the site until approval, so we're just going off of that, the Planner comment. Andy said he try's to drive by every site before we come to this meeting and I make sure that I'm driving at it using this as my gauge on what staff has noted. Andy said there is a lot of work going on at that site, it's not just gravel being moved around and we have in our paperwork from the Planner that no work shall commence, so that's what I'm going off of. We're just trying to balance what we've been given.

1c. Sunpro, will you please clarify why this is coming back to us. Amy said this is the conditional use permit. We noted that with our ordinances when Sunpro put in their initial application, we said yes, this was an allowable use. Typically when they put in application we say it goes with whatever the code said at that time. This is just for clarification purposes and to treat everyone fairly we brought it back as a clean up item. Right now our current code requires a conditional use approval. Andy said they've already approved the site plan. Andy said we went through this one in depth last time. There was no further comment on the item.\

Julie said she'd like to separate the items out for approval, not just for tonight, but in the future as well. Andy said that he would like to talk about the agenda and consent items at the end of the meeting under commission business. Jeff asked on 1a, we wanted to add the signage language in. If we make a motion for all together we could say 1a is subject to...and 1b is subject to... Amber said you would pull the item from the consent agenda and then make a motion on each one you pulled separately. Amber said if you're going to discuss it, you pull it and then you vote individually. Andy said this is all new, we're all new and unfamiliar with this process.

Julie made a motion to separate the items out. Motion was seconded by Jeff. Amber said you start making motions for the items.

Jeff made a motion that we approve item 1a on the common consent items based on staff recommendations, with the addition of the verbiage regarding the sign ordinance. Because it complies with the city code. Motion was seconded by Dan. Julie asked if we need to mention the red lined items such as the pedestrian walkway. Andy said it's been noted in the staff comments, so we're ok. Voting was unanimous in favor.

James moved to approve common consent item 1b subject to staff recommendation. Motion was seconded by Jeff. Voting was unanimous in favor.

Jeff moved to approve item 1c for Sunpro based on staff recommendations. Motion was seconded by Julie. Voting was unanimous in favor.

Andy thanked everyone for their patience while the Commission learned this new process.

2. Discussion/Decision: Preliminary Minor Subdivision Approval for Orchard Springs 3-Lot Subdivision, located at approximately 975 W 3215 N

Amber said this is a review of a preliminary minor subdivision which will divide two lots into three. The lots will meet the required minimum requirements and this is in the RE-15 zone. All requirements, for the most part have been met, there are a few comments from the engineer that will need to be addressed. Andy asked if the surrounding lots are also RE-15. Amber said yes, the area does meet the code. There is one existing home and there will be two additional homes built. Andy asked if the current setbacks are ok? The surrounding area is a different residential zone, RE-20. Andy asked if it meets our future land use map? Amber said that is correct and the packet specifies the date this lot was rezoned.

There were no questions for staff or the applicant. Julie moved to approve the preliminary subdivision based on staff comments and corrections being satisfied. Motion was seconded by Jeff. Voting was unanimous in favor.

3. Discussion/Decision: Preliminary Subdivision Approval of Monte Vista Estates, located at approximately 1650 W 3125

Amber said it's a proposed 11 lot subdivision in the R-15 zone, all lots meet the minimum requirements. The subdivision is still in review and will be required to meet all the staff review comments. Andy asked if they ever decided how the utilities were going to tie in? Andy invited the applicant to come forward to the microphone. Applicant, Bryce" said... Andy said there some talk on whether they would tie into the subdivision to the west or tie into the one up above potentially. The applicant said it will come back to the DRC sometime soon. They never submitted anything. Applicant used a laser to point out where the utilities will tie in. Andy said for now they're tying into Nilson Homes.

Andy asked what has been decided regarding Budge Lane. The only one who has approached us is Mike Dickemore, so we'll leave this area (pointed at the map) open for Mike. The road will remain to have the access it does now. It will be part of lot 11. Andy asked Amy about the access that isn't a road because it's part of a lot. The people below want access to get up into their lot, but is it part of one of these lots. Applicant said he doesn't think they legally have to give them anything but they've been working with Mike Dickemore and Dana said she has done a shared driveway on another lot and we could do a similar thing. Amy clarified that we can't create a flag lot. Andy asked if Mike Budge gets shut off and he can only access the property at the top because Budge Lane was supposed to be through from the bottom to the top. Applicant said that he heard from Jill before she left that the plan had changed. Andy explained what's in the master plan and the upper subdivision has now been changed because of this proposal.

Before Jill left she said that the layout had changed. Amy said that hasn't come to the Commission. Andy said he's not saying no, he's just asking questions because this is not what the Commission has always discussed. Andy said there are 3 houses that come out there and they share that exit point, the hope was that they would tie in and have another way out. Applicant said there are four owners at this point and they seem to be ok with it. Andy said he appreciates the applicants willingness to work with the other property owners. Julie asked if anybody has made comment about this subdivision. Amy said that notices were sent out and the city didn't receive anything. Andy asked the applicant to not do any site prep work until all approvals have been given.

Jeff moved to recommend approval to the city council based on the discussion and staff comments. Motion was seconded by James. Voting was unanimous in favor.

4. Discussion/Decision: Preliminary Subdivision Approval of Deer Crest VI A & B, located at approximately 4275 N 1400 W (Recommended Action: Table to 4/21/22 meeting)

Andy said that we're not ready for this item so staff will explain what's happening. Amber said that the proposal is for an RE-15 zone with 35 lots. They now want to split this into VI a and Vi b and staff is recommending tabling this item as the plat does not meet the minimum code requirements.

Andy asked if this phase has it's own detention or if it all still goes down into a previous phase. Andy said they have a big one at the bottom and this area is getting bigger and bigger. Andy asked that Dana look into the detention for this entire subdivision. Amber suggested that Dana come to Commission meetings to provide the technical information the Commission requests. Amy said we're recommending to have them come back in two weeks time with corrections.

Jeff moved to table item #4. Motion was seconded by Manya. Voting was unanimous in favor.

5. Discussion/Decision: Consideration of an Annexation Plan Amendment

Amy invited the Commission members to reach out any time they have questions. Amy said they will be working to get packets out sooner so the Commission can review things well in advance of the meeting.

Amy stated that in order to request annexation into a city, state law requires that you are part that city's annexation plan. This applicant is in unincorporated Weber County and could ask for annexation into either Pleasant View or North Ogden. The reason for this request is that there are some major challenges with utilities for the both the developer and Pleasant View City, which would be easier and less costly for the applicant to ask to be annexed into North Ogden. This group would like to put homes in and the utilities in North Ogden would be much easier for them to tie into. Amy showed our annexation plan. Annexations must be initiated by the property owner by state law. We've noticed this for consideration for us to modify our annexation plan so the property owner could then begin the process with North Ogden. This would be a recommendation to City Council. Amy explained the annexation map and what it means throughout the city.

This will be a public hearing at the City Council level but it had other noticing requirements for tonight's meeting. A discussion took place regarding annexation in general and how the process works and the challenges that it would present to different properties in the city. Staff is comfortable with this, but it is your recommendation.

Julie moved to recommend to the City Council to modify the city's annexation plan to eliminate this property. Motion was seconded by Manya. Voting was unanimous in favor.

6. Discussion/Decision: Consideration of releasing an easement on Goose Landing Lot 1 at approximately 955 W 3000 N

Dean asked how we assign an address, because he couldn't identify it when he was looking for it. Amy showed the area on the map and said the applicant would like to do some work on the property and the owner can petition the city to ask for the release of an easement. They also have to get letters from the all the utilities saying that they don't have a need for the easement. The applicant would like to install a garage in that area. We also have a recommendation of approval from Tyson and Dana. Andy asked if we have a checklist that shows who they need to have approvals from to get all the utilities to sign off on releasing an easement.

Derek Garner clarified what the Century Link letter was stating as it had some conditions. Mr. Garner said it states that if there is something there that neither party is aware of and he damages it, he would be responsible to fix it.

Dave moved to approve the easement release on Goose Landing Lot 1, based on the discussion and staff report. Motion was seconded by Dan. Voting was unanimous in favor.

LEGISLATIVE

Public Hearings

7. Discussion/Decision: Consider amending the Pleasant View Municipal Code Chapter 18.27- Commercial Zones (C-1 & C-2) Ordinance by removing 'Assisted Living Facility' and 'Nursing Home/Elderly Housing' from the list of uses allowed in that zone.

Andy said we've discussed this before. Amy said that the Commission may recall that these types of facilities were allowed in several zones and the City Council kicked it back to the Commission to look more holistically at what zones should allow these uses. Amy saw that they are also allowed in A-5, although the language is different. Amy said that right now it's in CP-1 and CP-2 and the prime commercial corridor is there. Amy showed the zones on the map. We have quite a bit of both of these zones right now.

Sara said that we've done a lot of work making 2700 north our commercial corridor and we want to make sure we have that space available for those uses. This would not prevent someone from applying for a rezone if they wanted to. Amy said the Council has said there is really a need, but what zone and what area in the city is the best place for this use. Sara said that she feels strongly that with the motion in whichever zone this is allowed it should also include a size limit, setbacks, etc.

A discussion took place regarding the differences between assisted living, nursing homes, etc. and where in the city the appropriate areas would be but at the same time protecting those areas where we're hoping for some sales tax revenue in the future. Amy said the Council would like the Commission to readdress this with the need to protect our commercial corridor. Andy asked if the public hearing and then close it or keep it open at the end? Amy said there is a lot of flexibility and more to come in the future, so no final determination is needed tonight. Andy said he would like A-5 to be part of it and have a staff recommendation within a packet that we could refer to. A short discussion took place regarding what the best way to proceed would be tonight, either tabling the item or approving the staff recommendation tonight but not sending it to the Council until we've reviewed it further. Amy said she wanted to clarify that just because this discussion is beginning doesn't mean that someone can't come forward with a request in the future.

Julie said she has a big concern about the A-5 zone regarding assisted living as that is a huge area. Julie moved to open a public hearing. Motion was seconded by Jeff. Voting was unanimous in favor.

Julie moved to table the item. Motion was seconded by Jeff. Voting was unanimous in favor.

OTHER BUSINESS

8. Open and Public Meeting Training

Amy said that she believes Laurie sent an online training link to everyone. Andy asked for the Commission to complete the training and then let Laurie know you've completed the training.

Julie said that she appreciates the goal that was mentioned to get packets to the Commission earlier than they have been given in the past. Julie said that although there are some challenges with large agendas, etc. she would love to do some research before the meetings so she's better prepared.

Amy said we are going to try really hard to stick to just one meeting per month. April will have two meetings, but then we'll really try to limit it to one meeting so that the Commission and City Council are not overwhelmed with these large packets. Amy expressed her thankfulness for the Commission and the job they do.

Sara asked for volunteers to help with Founders Day.

Adjourned at: 8:11pm