

Minutes of the Ogden Valley Planning Commission Regular meeting August 28, 2018 in the Weber County Commission Chambers, commencing at 5:00 p.m.

Present: Jami Taylor, Chair; John Howell, John Lewis, Shanna Francis, Chris Hogge, Steve Waldrip Robert Wood,

Absent/Excused:

Staff Present: Rick Grover, Planning Director; Ronda Kippen, Principal Planner; Steve Burton, Planner III; Courtlan Erickson, Legal Counsel; Kary Serrano, Secretary

Pledge of Allegiance

Roll Call

Chair Taylor welcomed a Boy Scout Troop 599 to the meeting.

Chair Taylor asked if there were any ex parte communication or conflict of interest. There were none presented.

1. Petitions, Applications and Public Hearings

1.1. Administrative Items

a. New Business

1. UVA050318: Consideration and action on a request for preliminary approval of Aspen Ridge at Powder Mountain Subdivision, consisting of 11 lots, in the Forest Residential (FR-3) Zone, located at approximately 6152 N Powder Ridge Rd, Eden. (Michael Moyal, Applicant)

Director Grover said this is an administrative item and you do not need to take public comment, but you can if you so choose. Steve Burton will do a short presentation, he will be followed by Michael Moyal the applicant who will explain what he is wanting to do, then Mr. Burton will come back and explain how this is meeting the code.

Steve Burton said he is presenting a slide show to show the location and there was a question about access. The primary access shall be located in this area, and you can see it as you follow that road. We are looking at Aspen Ridge at Powder Mountain consisting of 11 Lots, and it is in the FR-3 Zone. The applicant has demonstrated compliance with the code requirements. The applicant is requesting an alternative access approval because of the slope. I have included an image of the contours; and the reason for the alternative access is for a smaller road of 36-foot wide, and that is being reviewed with our Engineering Division. We felt comfortable moving this with a preliminary approval.

Michael Moyal, Applicant, said I am asking for a one lot subdivision, and this is the first phase of the subdivision. this is first presentation and asked if there any questions. There were no questions for the applicant.

Steve Burton said staff recommends preliminary approval of Aspen Ridge at Powder Mountain consisting of 11 Lots, including the alternative access for a private road. This recommendation for approval is subject to the review agency requirements and based on the following conditions listed in the staff report, and he reviewed the six conditions listed in the staff report. These six conditions need to be met before this moves forward for final approval. Recommendations are based on the findings list in the staff report.

MOTION: Commissioner Howell moved to approve UVA050318 request for preliminary approval of Aspen Ridge at Powder Mountain Subdivision, consisting 11 lots, located at 6152 N Powder Ridge Road, the area is 1.91 acres, in the FR-3 Zone. This is subject to all the conditions and recommendations listed in the staff report, and to all county and state agencies requirements. This motion is based on the findings listed in the staff report to include the request in Exhibit B in the staff report. Commissioner Wood seconded. A vote was taken with Commissioners Howell, Lewis, Francis, Hogge, Waldrip, Wood, and Chair Taylor voting aye. Motion Carried (7-0)

1.2. Legislative Items

a. New Business

1. ZDA 2018-05: Consideration and action on a request for the First Amendment to the Zoning Development Agreement Ordinance #96-33 to reinstate the expired Zoning Development Agreement and allow for temporary park and ride lot, located in the Commercial Valley (CV-2) Zone at approximately 2620 N Hwy 162. (Terry Phillips Properties LLC, Applicant; Roger Terry, Agent)

Rick Grover said this is a legislative item and as such will be forwarding recommendation onto the County Commission; and as you look at this you will be making a determination on this, and this does require public comment. Ms. Kippen will be presenting this application, then Mr. Roger Terry will give his presentation, and then Ms. Kippen will give as to why this may or may not meeting with the standards.

Ronda Kippen said what we are bringing before you a Zoning Development Agreement that was presented to you by the property owner prior to Mr. Terry; who that entered into a development agreement back in 1996. Rezoning the property at the time it was zoned A-1 and they rezoned to C-2. So now we have an AV-3 and a CV-2 Zones that we are dealing with. Ms. Kippen gave a brief development history of the property and turned it over to the applicant.

Roger Terry, Terry Felt properties, applicant, said he is owner of three parcels; one is the Valley Market, and the other two parcels that are undeveloped are behind. My petition is to reinstate the zoning development that we let expire; as well as the smaller parcel is currently used as a Park & Ride. I would like to take care of that properly and continue with that; and that lot has become instrumental with the cabins and some of the other parking needs. Long term we would like to continue with some commercial development behind there; tied into the valley market.

Commissioner Waldrip said what you've done over there with the other commercial with the cabins, with the landscaping has helped a lot. Is that the intent to continue that over as a buffer to the streetscape that we talked about in the pre-meeting. Mr. Terry replied the cabins are not my property.

Ronda Kippen said staff has reviewed this and feel that it is sustainable as it currently is, and we don't recommend rezoning it to AV-3. We would like to reinstate it, with a five-year expiration, and that is typically the time frame on a ZDA. We recommend to have landscaping on the frontage of that lot; to act as a screen and buffering for that parking area to provide a more softening area. Staff recommends moving forward with this petition with a positive recommendation to amend the ZDA Ordinance #95-33 and reinstate the expired ZDA for a period of five years, and to allow for a temporary park and ride lot to be added to the agreement. This recommendation is based on the findings listed in the staff report.

Commissioner Lewis asked if there was a way to screen that balance light that shines straight out. Director Grover replied we could definitely include that as part of the conditional use when it comes back, and our code requires that, and that has to be Dark Sky compliance. We can encourage them to do that.

Chair Taylor opened and closed for public comments, as there were no public.

MOTION: Commissioner Waldrip moved to recommend to the County Commission to adopt this request for the First Amendment to the Zoning Development Agreement Ordinance #96-33 to reinstate the expired Zoning Development Agreement and allow for temporary park and ride lot, based on the findings stated in the staff report; subject to all recommendations in the staff report. Commissioner Francis seconded. Motion Carried unanimously. A vote was taken with Commissioners Howell, Lewis, Francis, Hogge, Waldrip, Wood, and Chair Taylor voting aye. Motion Carried (7-0)

- 2. **Public Comment for Items not on the Agenda:** Director Grover gave a brief review to the Boy Scouts as to what the meeting was about. What the Planning Staff does and how the Planning Commission volunteer to help out their community and make sure certain rules are adhered to and that people follow the land use codes and rules. He gave them some examples of what people can and cannot do to their property. The Planning Commission makes recommendations to another body that is elected. So it's important that you vote, and every vote does count.
- 3. **Remarks from Planning Commissioners:** None
- 4. **Planning Director Report:** Director Grover said the meeting for September 4, 2018 has been cancelled.
- 5. **Remarks from Legal Counsel:** None
- 6. **Adjournment:** The meeting adjourned at 6:35 p.m.

Respectfully Submitted,

Kary Serrano, Secretary