

Minutes of the Regular Meeting of the Ogden Valley Planning Commission for April 29, 2025. To join the meeting, please navigate to the following weblink at <https://webercountyutah.zoom.us/j/81277037651>, the time of the meeting, commencing at 5:00 p.m.

Ogden Valley Planning Commissioners Present: Janet Wampler (Chair), Jeff Barber (Vice Chair), Bryce Froerer, Mark Schweppe.

Excused: Planning Commissioners Jeff Burton, David Morby, and Trevor Shuman

Staff Present: Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:** Chair Wampler conducted roll call and indicated Commissioners Burton, Morby, and Shuman were excused.

1. Minutes: February 25, 2025.

Chair Wampler declared them approved as presented.

Chair Wampler asked the Commissioners if they have any conflicts of interest or ex parte communications to declare; she declared that when the developments that are listed on tonight's agenda were first presented to the Planning Commission in 2023, she recused herself due to conflicts of interest at that time. She had a family member that was invested in the projects, but those interests are not present and the conflict no longer exists. She will be participating in discussion and action on the items listed on tonight's agenda.

No additional declarations were made.

2. Administrative Items:

2.1 ZDA2025-1: A public hearing and possible action for an application to amend the development agreement for the previously approved Cobabe Ranch development, located at approximately 2720 North 5100 East. The amendments are intended to help clarify the roles and responsibilities of both the developer and the governing body. Staff Presenter: Charlie Ewert.

A staff memo from Principal Planner Ewert explained the purpose of this application is to amend an existing development agreement for the Cobabe Ranch development project. The Cobabe Ranch project consumes about 176 acres and is located north of New Town Eden and south of the established Wolf Creek neighborhood. The property's current zoning is not being proposed to change. The proposed amendment will change the existing development agreement from its current format, simplify it, correct errors, and provide clearer roles and responsibilities for both the developer and the county. Staff is recommending approval of the rezone with specific considerations and recommendations.

Mr. Ewert reviewed his staff report and used the aid of a PowerPoint presentation to summarize staff's analysis of the application to determine policy compliance; the purpose for the amendment is to provide better clarity, reduce inconsistencies, correct errors, and better provide for the roles and responsibilities of both the county and the developer. The project's existing development agreement was recorded on September 11, 2023, and was recorded with a rezone ordinance (Ord #2023-25) that applied the county's Master Planned Development Overlay Zone to the property. The purpose of that rezone was to allow for alternative development standards and density for the project. Both the rezone ordinance and the development agreement applied to three separate projects, each being developed by the master developer (applicant). The agreement allowed density to be reallocated from properties within the Wolf Creek Resort development to this property and others. As a result, the development agreement and the Master Planned Development Overlay Zone have enabled more density in the Cobabe project than would otherwise be allowed using the underlying zones of AV-3 and F-5, thereby increasing it from its base density to 101 residential dwelling units; 33 single-family dwelling lots, and 68 townhome units. Because the existing agreement applies to three different developments and seven different zones, there are some unfortunate complications, ambiguities, and overlaps that have the potential to lead to unintended disagreements when interpreting and applying it. The applicant's intent is to separate each into their own development agreement to help eliminate this potential. This proposed amendment is not intended to materially

change the project's previous approval except to enhance the infrastructure being offered. Figure 1 illustrates the Cobabe Ranch master plan currently in the approved agreement. Figure 2 illustrates the applicant's proposed revised version. A few things to note:

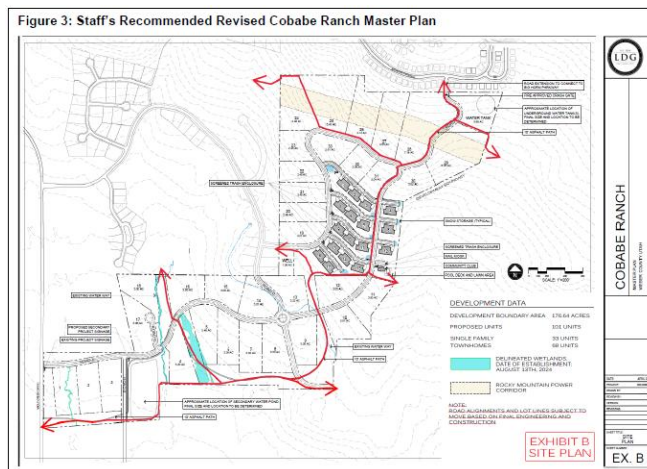
- The requested change does not materially affect the layout, configuration, and types/locations of lots and units.
- The original included a street right-of-way – but not street improvements – on the southeastern most street (Figure 2 labels it Road D). The applicant's revised version includes the street improvements, which will be a community asset that enables better neighborhood connectivity if the property to the east develops.
- The original had significantly less proposed 10-foot-wide asphalt multi-use pathway. It only contained about 3,260, or a little over half a mile of pathway. The applicant's revised proposal contains about one and a half miles, or about three times as much. The original shows other paths, but they are not labeled as 10' wide asphalt paths and are presumably dirt track.

While staff would agree that amending the development agreement for better clarity is in the best interest of the community, staff would also assert that amending it in a way that adds this additional infrastructure makes the amendment request even more worth considering. The following are relatively minor changes being proposed by either the applicant or staff, as well as other items to note:

- The original development agreement allowed Short-Term Rentals throughout the Cobabe Ranch development. The proposal does not change that.
- The applicant is requesting the right to grade the site and process materials onsite as a permitted use. The details, conditions, and circumstances in which this can occur is provided in the development agreement's Exhibit E. If the applicant desires to go beyond these standards this work will require a conditional use permit.
- The original agreement applied the zoning standards and uses of the RE-20 zone and FR-3 zone to the property, without actually rezoning the property to them. It appears to staff that this has the potential to create significant confusion, especially as institutional knowledge turns over. Staff is recommending, and the applicant has accepted, to drop any reference to these zones. Instead, we've recommended replacing them with a land use table and site development standards unique to the project. This can also be reviewed in the development agreement's Exhibit E.
- The same architectural standards are proposed as were approved in the original development agreement.
- New development entry monument signs are being proposed, also reviewable in Exhibit E.
- The same street and pathway standards are being proposed.
- There are a few development standards referenced in the original agreement, such as fire protection, flood plain protection, noxious weed control, construction staging and utilities that are not being included in the revised agreement as they either are not applicable to this project, or there are already laws that adequately apply to them. Less is probably more in this circumstance. If the planning commission wants any of them added back in, please include that in the motion.

A big ask that staff think the county should seek in the amendment of this agreement pertains to pedestrian facilities. Sidewalks are not being required in this development except along the streets adjacent to the Townhomes. While the added pathway length being proposed by the applicant will provide a benefit to the community because it will be open for public use, it's arguable that its need exists because of the advent of this development and perhaps should have been required with the original approval. For this reason, staff are further suggesting the applicant add more 10-foot-wide multi-use pathways in and through the development. These additional pathways are intended to help give the community better inter-neighborhood connectivity not just to this development, but across it. Figure 3 illustrates staff's suggested pathways, which would amount to approximately two and a half miles of total asphalt pathway. Figure 4 provides a rough illustration for how these pathways will benefit surrounding existing and planned neighborhoods. Staff is recommending approval of the request with the additional pathways and other suggested amendments provided as redlines and comment bubbles in the attached proposed Development Agreement. The attached agreement was converted from PDF to Word, so there may be some formatting errors, but the content should be consistent. The planning commission may notice that the agreement is significantly similar to the recently reviewed Bridges development agreement.

Mr. Ewert presented the original Cobabe Ranch Master Plan, the applicant's proposed revisions to the Master Plan, and staff's recommended revisions to the Master Plan:



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After reviewing the proposal within the intended context of the Ogden Valley General Plan, existing zoning, and existing development agreement(s), it is staff's opinion that this rezone will help advance the vision and goals of the plan. Staff is recommending approval of the development agreement amendment. This recommendation is offered with the following considerations:

1. Staff's comments and suggestion provided in the attached DA should be more fully addressed prior to County Commission approval.

Staff's recommendation is offered with the following findings:

1. After the listed considerations are applied, the proposal helps advance the goals, and objectives of the Ogden Valley General Plan.
2. The proposed changes are not detrimental to the overall health, safety, and welfare of the community and provides for better project outcomes than.
3. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

Mr. Ewert concluded the applicant has asked for a decision from the Planning Commission tonight; the options available to the Commission are to recommend approval to the County Commission, recommend conditional approval to the County Commission, or recommend denial to the County Commission and that motion should be supported by findings included in the motion.

Chair Wampler stated that during the leadership meeting she and Vice Chair Barber participated in with County staff, she was told that the Commission had the option to table the application as well. Planning Director Grover stated that was an option at the time of the meeting, but the applicant has since requested a decision be made tonight.

Commission discussion then centered on ingress/egress points in the development area and placement of crash gates at appropriate locations; the length of pathways in the project area and whether they are publicly accessible and/or publicly maintained or maintained by the homeowner's association (HOA); utility infrastructure improvements; noxious weed control standards; density of the project area and lot sizes; requiring the developer to repair any damage that has occurred to the existing improvements in the area, including public rights-of-way and pedestrian accesses; and ensuring public areas remain open during construction.

Chair Wampler invited input from the applicant.

Bruce Baird, counsel for the developer, introduced himself as well as his client, John Lewis. He stated Mr. Ewert has done a thorough job of explaining why the proposed amendments to the development agreement will yield a better result. He addressed a few of the issues raised during the Commission's discussion of the proposal, including his client's willingness to make it clear in the development agreement that the HOA will maintain the public pathways until/if the improvements are eventually taken over by a government entity. He has also been engaged in discussions with the neighboring property owners to the north and the generic request is to keep the area gated, but he is agnostic as to whether the area should remain open or not and will await the decision of the County Commission. He feels that the simplified project agreement will benefit all parties, and he asked for support from the Planning Commission this evening. He also expressed a willingness to answer any questions that may be raised by the public.

Chair Wampler opened the public hearing.

Jan Fulmer, 3741 Redhawk Circle, Eden, referenced a road that goes into Trapper's Ridge and asked if there will be a crash gate there or if it will be an open thoroughfare. When the plans for this project were first presented publicly, the residents in Trapper's Ridge understood the need for a crash gate for emergency situations, but they were not keen on the road being a thoroughfare. She then stated there has been some mention of a short-term rental (STR) use being allowed in the project area; she understood townhomes may be used for STRs, but she asked if single-family homes can also be used as STRs.

Niko Filigiottie, 5956 East Bighorn Parkway, stated that Mr. Lewis has been a pleasure to work with, dating back to 2022. He asked what the hours of work will be for the project and how noise and dust will be mitigated for the existing residents living nearby. He would also like a phone number for who residents can call if they have a question or issue. He then referenced the top right corner of the plan, which identifies an underground water tank, and he asked if that will be visible at all or fully below grade. He stated there is an agreement Mr. Lewis dated October 25, 2022 regarding existing power infrastructure and limitations on the

developer in terms of where they can build and how close they can be to neighboring property lines. However, there is no stipulation about what happens if the power lines are going to be buried and he would like that to be specifically addressed. He asked that any reference on the plans to the power lines be demarked with a longitude and latitude location. For example, single family homes are to be located below power lines and any secondary structures, such as barns, can be above the powerlines, but there is a significant drop off on the land and Mr. Lewis has made agreements about building heights and it is important to expressly communicate how buffering will be achieved to prevent new construction from blocking the views of existing residents., which could be accomplished by burying powerlines. He stated some gentlemen agreements have been made with Mr. Lewis, and he would love him to memorialize those agreements and include language in the agreement that provides proper buffering between barns or other accessory buildings and neighboring residences. He would also like for the agreement to provide specific rules and regulations regarding the STR uses in the project. The crash gate was very important in past discussions with residents, and he asked that the applicant and the County carefully consider that element of the plan. He concluded by asking if streetlights are required in the development. He thanked the Commission and Mr. Lewis for everything done to this point.

Kirk Langford, Eden, expressed his concerns about performing any excavation on the property or the surrounding area that will impact the natural drainage paths in the area. A tremendous amount of water comes off of Wolf Creek and the Cobabe property and it no longer goes through the four-way stop and on to Pineview as it did previously. Berms have been built in the area that has rerouted water that is rolling off the mountain. The water is being diverted into manmade canals and ditches, and it heads east into another subdivision and into Eden Irrigation's main ditch that serves a good portion of Eden. The County had a project to capture that project even before building more units on Cobabe; the water floods Old Town Eden, people's basement, farms, and all up to Browning Ranch. The County was planning to install pipe to catch the water and reroute it into Pineview, but the County ran out of money to complete that project. Now, a new City will be incorporated and will be responsible for handling that problem. Many people are suffering due to the failure to complete the project, and he also asked the County to be considerate of any work being done on the Cobabe project that will obstruct canals or ditches that feed the agricultural properties of Eden.

Debra Mottlemog, 4833 E. 3925 N., Eden, stated before she moved to Eden, she looked at all future plans for the area because she planned to live here forever, but things have changed drastically, and she asked if anything can be done to slow or stop this project and other projects that will increase the density of the area.

Chair Wampler stated that the application before the Commission tonight is an amendment for a development agreement for a previously approved development. Ms. Mottlemog stated she attended one meeting but never received future communication about this project. Chair Wampler stated that the project and original agreement were originally approved in 2022 and 2023.

There were no further persons appearing to be heard and Chair Wampler closed the public hearing.

Chair Wampler asked Mr. Ewert to address the points raised by the public.

Mr. Ewert referenced questions about a crash gate; the current version of the proposed amendments to the development agreement do not include a crash gate, but also no prohibition of a crash gate. He stated the County does not have a strong position on the matter and it may not be needed in the long term; if it is in place for the duration of the construction or for building the first few homes, that would be sufficient. He then stated that construction work can only occur between the hours of 8:00 a.m. to 6:00 p.m., Monday through Saturday and that requirement is included in the agreement. The phone number residents can call to complain about violations is for the County's Code Enforcement Division and it is listed on the County's website. There have been some discussions about dust and noise mitigation, but it would be his recommendation to include a decibel rating in the development agreement to clearly communicate what constitutes a noise violation. He deferred to the applicant to answer whether the water tank is fully underground. The applicant indicated the water tank is fully underground. Mr. Ewert then addressed the matter of STRs; it is his understanding that STRs were allowed in the entire Cobabe project, but he will review the historical record to ensure if that is the case. He will communicate his findings before the application is considered by the County Commission. He then addressed the comments about the potential to bury power lines underground and stated that is very unlikely given that they are high power transmission lines. It is his understanding that Rocky Mountain Power will be replacing poles on those lines in the near future. If that were to ever change, it may be appropriate to provide a definitive standard for appropriate rear setbacks for structures that would be built where the power lines are currently located. There may be some adjustments on the setbacks for the townhomes, but he feels that has been reasonably clarified through discussions between the applicant and planning staff. Relative to drainage, the County Engineering staff has the same concerns as were expressed by Mr. Langford and they are carefully monitoring the situation and will discuss their concerns with the applicant before making a final recommendation. He concluded by addressing Ms. Mottlemog's question about the status of the project; the development has

been approved and that will not change; the amendments to the development agreement are pending a decision by the County Commission.

Vice Chair Barber inquired as to the maximum building height for an accessory building, to which Mr. Ewert answered 25 feet. Vice Chair Barbier asked if that also applies to an accessory building with a dwelling unit, to which Mr. Ewert answered yes.

Planning Director Grover then reviewed the minutes from the County Commission meeting on November 2, 2021, during which STRs were discussed; the minutes state “no STRs at Eagle Crest, but STRs will be allowed at both Exchange and Cobabe Ranch, including within single-family units.” Chair Wampler stated she thought actions were taken on this project in 2022 or 2023. Mr. Ewert stated that was likely when the development agreement was discussed. Legal Counsel Erickson clarified that the minutes document Mr. Grover was reviewing was actually from August 15, 2023; the footer for the document was likely not updated to reflect the correct meeting date.

Vice Chair Barber moved to forward a positive recommendation to the County Commission for application ZDA2025-1, an application to amend the development agreement for the previously approved Cobabe Ranch development, located at approximately 2720 North 5100 East. The amendments are intended to help clarify the roles and responsibilities of both the developer and the governing body. The recommendation is based on the findings and subject to the conditions listed in the staff report, as well as the following additional conditions recommended by the Planning Commission:

1. Similar language should be added to the agreement as is found in the Bridges Development Agreement with respect to outsourcing inspections services.
2. The 2.5 miles of paved path should be identified in the development agreement.
3. The HOA will be responsible to maintain the 2.5 miles of paved path on a year-round basis.
4. Language should be added to the agreement with respect to minimal earth disturbance throughout the project, including on the building lots.
5. Include specific language pertaining to noise mitigation and what constitutes a noise violation.

Chair Wampler referenced item one and asked Vice Chair Barber if he meant the language the Planning Commission had requested rather than the language that was agreed upon by the County Commission. Vice Chair Barber clarified that he meant the language the Planning Commission had requested; he feels the Planning Commission’s recommendation regarding the Bridges development was based upon a desire for uniformity and consistency and the same should be considered for this development.

Commissioner Froerer asked the other Commissioners how they feel about the crash gate at the top of the development; he is not sure the gate is needed, or if the issue is important enough to address in a motion. Vice Chair Barber stated he understands the County does not care about the gate and the County Commission may or may not care; however, residents above the development may care about the gate. He is not familiar enough with the traffic flow that may occur in the location of the gate to have a definitive position on the issue. He noted Mr. Ewert communicated it may be a good idea to have a gate during the construction of the project, but it may not be needed in the future. Commissioner Schweppe discussed his experience as a resident living near the project area; he has heard from the HOA that there would be a crash gate, but he spoke with the developer, and they indicated the gate may or may not be installed. The residents are accustomed to their development being closed and they would prefer something to prevent through traffic coming into their neighborhood. There is also an issue with egress and ease of access to main roads at lower points through the neighborhood. He feels transportation connectivity may be a benefit in the future and that perhaps a crash gate is only needed during construction.

Commissioner Froerer stated that based upon those comments, he would offer a friendly amendment to the motion to require a crash gate during construction. Vice Chair Barber accepted the friendly amendment.

Commissioner Froerer seconded the motion. Commissioners Froerer, Schweppe, Vice Chair Barber, and Chair Wampler voted aye. (Motion carried on a vote of 4-0).

2.2. ZDA2025-2: A public hearing and possible action for an application to amend the development agreement for the previously approved Eagle Crest development, located at approximately 4601 East Fairways Drive. The amendments are intended to help clarify the roles and responsibilities of both the developer and the governing body. Staff Presenter: Charlie Ewert

A staff memo from Principal Planner Ewert explained the purpose of this application is to amend an existing development agreement for the Eagle Crest development project. The Eagle Crest project consumes about 66.63 acres and is located west of the established Wolf Creek neighborhoods. The property's current zoning is not being proposed to change. The proposed amendment will change the existing development agreement from its current format, simplify it, correct errors, and provide clearer roles and responsibilities for both the developer and the county. The process to amend a legislatively adopted development agreement is the same process used for a rezone. While no zoning is being proposed to change with this amendment, there may be references in this report to rezone process requirements. Staff is recommending approval of the development agreement with specific considerations and recommendations. The purpose for the amendment is to provide better clarity, reduce inconsistencies, correct errors, and better provide for the roles and responsibilities of both the county and the developer. This application is being run in tandem with the applicant to amend the same existing development agreement as it pertains to Cobabe Ranch. Both will be reviewed on the same agenda, and the facts and circumstances of each are very similar. This report addresses unique considerations for Eagle Crest, but a more general analysis of the application can be reviewed in the Cobabe Ranch DA staff report. This proposed amendment is not intended to materially change the project's previous approval except to enhance the infrastructure being offered. Figure 1 illustrates the Cobabe Ranch master plan currently in the approved agreement. Figure 2 illustrates the applicant's proposed revised version. A few things to note:

- The requested change does not materially affect the layout, configuration, and types/locations of lots and units.
- The original had less proposed 10-foot-wide asphalt multi-use pathway. The proposed version includes:
 - The installation of a multi-use asphalt pathway along Fairway Drive;
 - An asphalt pathway connection to the Bridges Development to the north; and
 - A pathway trailhead parking area on the south side of the Project.

Mr. Ewert offered a comparison of the original Eagle Crest Master Plan with the developers proposed changes, and a third plan that includes staff's recommended pathway addition.



Figure 2: Applicant's Proposed Revised Eagle Crest Master Plan

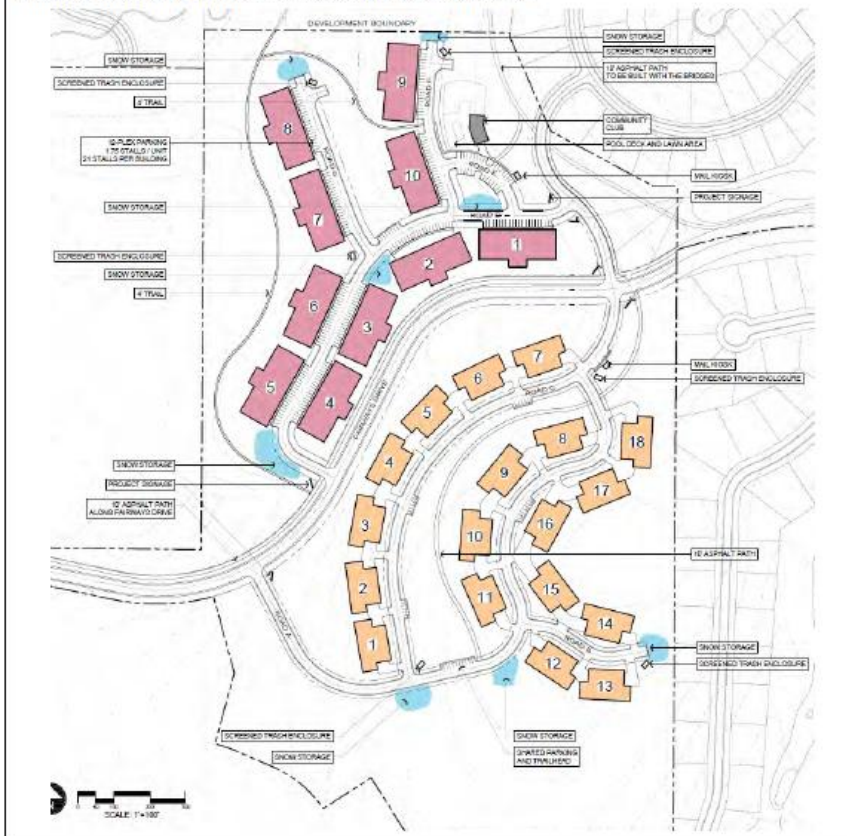
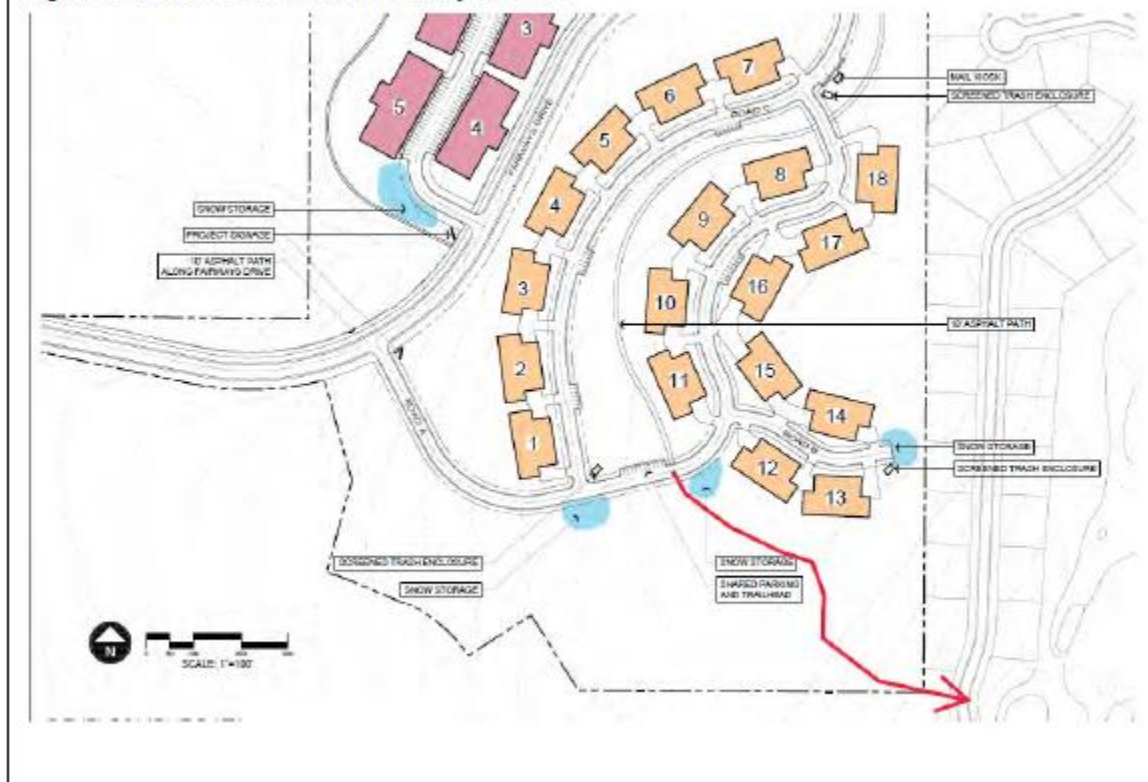


Figure 3: Staff's Recommended Pathway Addition



Mr. Ewert noted that while staff would agree that amending the development agreement for better clarity is in the best interest of the community, staff would also assert that amending it in a way that adds this additional infrastructure makes the amendment request even more worth considering. The following are relatively minor changes being proposed by either the applicant or staff, as well as other items to note:

- Short-term rentals are not allowed.
- The applicant is requesting the right to grade the site and process materials onsite as a permitted use. The details, conditions, and circumstances in which this can occur is provided in the development agreement's Exhibit E. If the applicant desires to go beyond these standards this work will require a conditional use permit.
- The same architectural standards are proposed as were approved in the original development agreement.
- The same street and pathway standards are being proposed.

Like Cobabe, staff thinks the county should seek additional paved pathway length. For this project, the only additional paved pathway staff recommends requesting is an extension from the proposed trailhead southward to the south eastern property boundary. This extension can later help facilitate the pathway's extension through the golf course and the Wolf Creek's intended village area. Figure 3 illustrates the pathway extension. Staff is recommending approval of the request with the additional pathway and other suggested amendments provided as redlines in the attached proposed Development Agreement. To help ease the planning commission's review of the attached agreement, and because it is so similar to the Cobabe agreement, staff have only provided red lines that demonstrate only the differences between the two. Any redline or comment in the Cobabe agreement that is not in the attached should still be considered applicable.

Mr. Ewert concluded that after reviewing the proposal within the intended context of the Ogden Valley General Plan, existing zoning, and existing development agreement(s), it is staff's opinion that this development agreement amendment will help advance the vision and goals of the plan. Staff is recommending approval of the development agreement amendment. This recommendation is offered with the following considerations:

1. Staff's comments, suggestion, and edits regarding the DA should be more fully addressed prior to County Commission's approval.

Staff's recommendation is offered with the following findings:

1. After the listed considerations are applied, the proposal helps advance the goals, and objectives of the Ogden Valley General Plan.
2. The proposed changes are not detrimental to the overall health, safety, and welfare of the community and provides for better project outcomes than.
3. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

Commissioner Froerer asked if there is a proposed pathway to continue up State Road (SR) 158, or if that is just part of the road. Mr. Ewert stated the trail would be grade separated rather than as part of the road shoulder. The General Plan actually identifies a trail all the way to Powder Mountain, which would be a 'big lift', but it should be possible to get a trail to Fairways Drive at a minimum.

Vice Chair Barber asked if there is any potential for this development to cause a need for any modification to SR 158; he cited Old Snow Basin Road as an example, noting that as development occurred along that road, there because a question of mitigating traffic issues and what parties had created those issues. He asked if there is a potential for something similar to occur with this development along SR 158. Mr. Ewert stated he can discuss those concerns with County Engineering and the Utah Department of Transportation (UDOT). There will be many new driveways as part of this project and the Bridges project and he would assert that making the connection to Fairways Drive may actually alleviate some traffic issues on SR 158, but that depends on traffic flow. The majority of the working public that commutes from the Valley to their place of employment travels south. That data may be dated as it was collected before the COVID-19 pandemic, however. He stated there is some potential to shift traffic patterns as connectivity is made to 4100 North, which connects to the North Ogden Divide road. He noted a traffic study can be requested if the Planning Commission desires and he suggested including a recommended condition of approval to add language to the development agreement requiring a traffic study. That has been done for other development agreements.

Chair Wampler stated that the packet materials for this item actually include maps for Cobabe Ranch rather than Eagle Crest; she suggested that be corrected. She added that one map of Eagle Crest includes unit counts that are for Cobabe Ranch rather than

Eagle Crest. That error also needs to be corrected. Mr. Ewert stated the proposed development agreement includes the correct exhibits and the pages Chair Wampler was referencing are from the existing development agreement that does include maps for Cobabe Ranch, Eagle Crest, and the Exchange all in one document. That is part of the issue the County and the developer are trying to correct as part of this application.

Chair Wampler invited input from the applicant. The applicant indicated he had nothing to add to Mr. Ewert's presentation.

Chair Wampler opened the public hearing.

Megan Bowen, 4174 Sunrise, requested that before anything is approved, a traffic study be conducted. There will be a significant number of units added to the area due to this development and a traffic study should be completed to consider the true impact of the project and what that will mean for existing homeowners. She asked if the units will have two-car garages and how the connection of Fairway Drive will impact traffic flow in the area.

Jan Fulmer, Eden, asked for clarification on the name of Fairway Drive; she tried to perform a google search to search for the development address and she could not find it. She suggested a larger map be provided in order for the public to understand the location of the property and to see what uses surround it. She asked Mr. Ewert to point out if this project area is near the new road that connects the Fairways to River Road.

There were no further persons appearing to be heard and Chair Wampler closed the public hearing.

Chair Wampler invited Mr. Ewert to address the questions asked during the public hearing. Mr. Ewert stated that he believes a requirement for a traffic study can easily be included in the development agreement; that would include triggers that would dictate the timing of the traffic study. He noted, however, that he does not want anyone to have an unrealistic expectation of what a traffic study would produce; traffic impact studies are performed by engineers, and they are based upon efficiencies of streets rather than impacts to existing residents or adjoining landowners. He then responded to Ms. Fulmer's comments by identifying the project area on a map; he identified Fairway Drive and other roadways in the area and pointed out where larger townhomes will be located on the north side and smaller townhomes on the south side. He stated that it may be true that the address that was included in the staff report does not currently exist; it was a general address for the project and the formal address will not be designated until the property is subdivided.

Vice Chair Barber moved to forward a positive recommendation to the County Commission for application ZDA2025-2, an application to amend the development agreement for the previously approved Eagle Crest development, located at approximately 4601 East Fairways Drive. The amendments are intended to help clarify the roles and responsibilities of both the developer and the governing body, based on the findings and subject to the conditions listed in the staff report, as well as the following additional conditions recommended by the Planning Commission:

1. Similar language should be added to the agreement as is found in the Bridges Development Agreement with respect to outsourcing inspections services.
2. The path should be extended according to the map provided by Mr. Ewert.
3. The HOA will be responsible to maintain the new path on a year-round basis.
4. Language should be added to the agreement with respect to minimal earth disturbance throughout the project, including on the building lots.
5. Include specific language pertaining to noise mitigation and what constitutes a noise violation.
6. A traffic study should be conducted with respect to the mitigation of detrimental effects with the outlook toward potentially collecting funds for a future roadway adjustment to SR 158.

Chair Wampler asked Vice Chair Barber to clarify the intent of condition 6. Vice Chair Barber stated that his intent is to escape a similar situation to what occurred on Old Snow Basin Road as development continued along the road and caused issues on the roadway; a traffic study would examine opportunities for mitigating potential detrimental future effects of increased traffic in the future. If funding can be collected from developments that occur beyond the intersection at SR 158, that funding could be used to address future traffic issues.

Commissioner Schweppe seconded the motion.

Chair Wampler referenced condition number 5 and asked if it is necessary to specify certain decibel levels that would be defined as a noise violation. Mr. Grover stated that could be done, or staff could be directed to consider noise regulations in other municipalities. Chair Wampler stated she would like the development agreement to specify a certain decibel rating. She offered a friendly amendment to Vice Chair Barber's motion to include that statement. Vice Chair Barber accepted the amendment.

Chair Wampler called for a vote on the motion. Commissioners Froerer, Schweppe, Vice Chair Barber, and Chair Wampler voted aye. (Motion carried on a vote of 4-0).

3. Public Comment for Items not on the Agenda:

There were no public comments.

4. Remarks from Planning Commissioners:

Commissioner Schweppe referenced the comments he made regarding a crash gate in the Cobabe Ranch development; those was his opinion only and he would defer to the HOA of the respective communities to decide on the best way to move forward regarding that element of the project.

5. Planning Director Report:

Planning Director Grover reported Commissioner Morby is resigning from the Commission due to some health issues; the County Commission will be considering an appointment to replace Commissioner Morby soon.

6. Remarks from Legal Counsel

There were no remarks from Legal Counsel.

The meeting adjourned at 6:33 p.m.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission