

SOUTH WEBER CITY PLANNING COMMISSION AGENDA

PUBLIC NOTICE is hereby given that the **Planning Commission of SOUTH WEBER CITY**, Utah, will meet in a **REGULAR** public meeting on **Thursday, March 8, 2018** at the **South Weber City Council Chambers, 1600 East South Weber Drive**, commencing at **6:30 p.m.**

A WORK MEETING WILL BE HELD PRIOR TO THE REGULAR PLANNING COMMISSION MEETING AT 6:00 P.M. TO DISCUSS AGENDA ITEMS BELOW, CORRESPONDENCE, AND/OR FUTURE AGENDA ITEMS

THE AGENDA FOR THE REGULAR MEETING IS AS FOLLOWS: *

- 1. Welcome, Pledge of Allegiance**
- 2. Approval of Consent Agenda—Commissioner Walton**
 - a. Minutes February 8, 2018
- 3. Public Hearing and Action on Rezone:** Application for property located at approx. 725 E 6650 S (Parcels 13-275-0005 & 13-275-0006), approx. 23.5 acres from to Agriculture (A) to Residential Patio (R-P and Residential low moderate (R-LM) by applicant Nilson Homes
- 4. Public Hearing and Action on Rezone:** Application for property located at approx. 1900 E Canyon Drive (Parcel 13-012-0071), approx. 7.5 acres from Agriculture (A) to Residential moderate (RM) by applicant Ray Creek LLC.
- 5. Public Hearing and Action on Conditional Use:** Application for grading for property located at approx. 1900 E Canyon Drive (Parcel 13-012-0071), approx. 7.5 acres by applicant Wilcoxon Enterprises.
- 6. Public Comments** – Please keep public comments to 3 minutes or less per person
- 7. Planning Commissioner Comments** (Walton, Pitts, Johnson, Osborne)
- 8. Adjourn**

THE UNDERSIGNED DEPUTY RECORDER FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED, EMAILED OR POSTED TO:

CITY OFFICE BUILDING

www.southwebercity.com

THOSE LISTED ON THE AGENDA

Utah Public Notice website
(www.utah.gov/pmn)

TO EACH MEMBER OF THE PLANNING COMMISSION



DATE: 02-22-18

LISA SMITH, PLANNING COORDINATOR

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, INDIVIDUALS NEEDING SPECIAL ACCOMMODATIONS DURING THIS MEETING SHOULD NOTIFY LISA SMITH, 1600 EAST SOUTH WEBER DRIVE, SOUTH WEBER, UTAH 84405 (801-479-3177) AT LEAST TWO DAYS PRIOR TO THE MEETING.

Agenda are flexible and may be moved in order or sequence to meet the needs of the Commission.

SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

DATE OF MEETING: 8 February 2018

TIME COMMENCED: 6:00 p.m.

PRESENT: COMMISSIONERS:

Tim Grubb
Debi Pitts
Rob Osborne
Wes Johnson
Taylor Walton

CITY ENGINEER:

Brandon Jones (excused)

CITY PLANNER:

Barry Burton

PLANNING COORDINATOR:

Lisa Smith

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Brent Poll, Blair Halverson, Chris Tremea, and Mark Staples.

Approval of Consent Agenda—Commissioner Grubb

- Minutes December 14, 2017
- 2018 Position Appointments—Chair, Co-Chair, Sketch Plan Liaison

Public Hearing and Action on Conditional Use Permit: application for a Planned Dwelling Group located at approx. 1540 Canyon Drive, Parcel numbers 13-011-0134 and 13-011-0016, approx. 0.96 acres by applicant David Gowers: Barry Burton, City Planner, said this proposal is for a property located at 1540 Canyon Drive. The applicant, David Gowers, would like to build a second single family residence on the lot that has one existing single family dwelling on it. The lot is .96 acres and is in a R-M zone. The proposal meets the requirements of the Zoning Ordinance for such developments.

Barry said there is a sewer easement and power line on this property. He said the concern is with emergency service access into the property. Chris Tremea said there needs to be some parking restrictions. He said Mr. Gowers is willing to work with the city.

The home sits more than 150' from the street and should provide access for fire apparatus. The fire code requires that such access be at least 20' in width and the proposed width is 12'. Also, the turn-around should have a diameter of 96' where the proposal is for a 90' diameter.

Action on Rezone: application at approx. 7482 Cornia Drive (parcel 13-174-0001), approx. 1.313 acres from Commercial Highway (CH) to Light Industrial (LI) by applicant Shawn Durrant: Barry said the rezone request for this property was tabled at December 2017 Planning

Commission Meeting because the Planning Commission wanted to see exactly what was being proposed. The applicant has now submitted plans for the site and the proposed building. The landscape plan shows the site will be over 40% landscaped although there is very little in the way of trees and shrubs. Buffer yard D is required on the east side of the property against the adjacent A zoned property. The building is metal structure with a decorative front entry and a decorative wainscot on the front. The building is designed to accommodate two separate businesses. The city can expect to see a currently unknown tenant at some point in the future. Barry doesn't feel there is a problem with this as whoever it is will have to comply with the zone requirements.

Chris Tremea said he met with Mr. Durrant today and he discussed creating a concrete fence along the back to help with fire safety. Commissioner Osborne said he would like to see a development agreement in place before rezone or in conjunction with the rezone. Commissioner Pitts read the motion made from 14 December 2018 Planning Commission Meeting which reads as follows:

Commissioner Grubb moved to table the rezone application at approximately 7482 Cornia Drive, (parcel 13- 174-0001) of approximately 1.3 acres from Commercial highway (C-H) to light industrial (L-I) by applicant Shawn Durrant until the applicant goes through the process of preparing a development agreement through a Sketch Plan Meeting before coming back to the Planning Commission. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

Public Hearing and Action on Rezone: application at approx. 6825 S 475 E (parcel 13-023-0118 and 0183), approx. 2.65 acres from Agriculture (A) and Residential Low Density (R-L) to Residential Low to Moderate Density (R-LM) by applicant Hidden Valley Meadows Community, LLC: (No discussion on this item)

Action on Final Subdivision: Hidden Valley Meadows phase 2 located at approx. 6700 N 350 E (parcel 13-023-0189), approx. 1.8 acres by applicant Bruce Nilson: (No discussion on this item)

Commissioner Johnson: Requested discussion on the failing of the proposed 'overlay zone' that was rejected by the City Council: Commissioner Johnson said he attended the City Council meeting in which this item was discussed. He said a council member discussed his concerns with property owners who haven't been approached or talked to by the city. Commissioner Johnson feels landowners need to be talked to first. He feels if they would have been talked to, this may have gone through. He said Barry Burton did a great job putting this together. Commissioner Osborne said that was for an optional thing and not really coming down on the property owner.

Blair Halverson, 6715 S. 475 E., said the property owners (Peeks & Watts) have never been approached. He said they are concerned because if one piece does it and the others don't, it doesn't make sense. He feels all three property owners should have been approached.

Barry said he had the impression that the council was concerned about the perceived density. Commissioner Osborne suggested the city staff get the land owners in the loop. Commissioner Grubb asked if it is an area that we want to see preserved or not. He feels everyone needs to be

on board to even do it. Barry said if you want it preserved then you need to look at it again. Commissioner Grubb feels it is a nice corridor that is worth saving. He said it should be identified on the master plan and then create a plan to help preserve. Barry said it is identified on the master plan. Commissioner Grubb said then we need a plan for preservation to protect that. Commissioner Osborne said this is a great discussion.

ADJOURNED: 6:30 p.m.

APPROVED:

Chairperson: Rob Osborne

Date

Transcriber: Michelle Clark

Attest:

Planning Coordinator: Lisa Smith

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 8 February 2018

TIME COMMENCED: 6:33 p.m.

PRESENT: COMMISSIONERS:

Tim Grubb
Debi Pitts
Rob Osborne
Wes Johnson
Taylor Walton

CITY PLANNER:

Barry Burton

CITY ENGINEER:

Brandon Jones

PLANNING COORDINATOR:

Lisa Smith

Transcriber: Minutes transcribed by Michelle Clark

A PUBLIC WORK MEETING was held at 6:00 p.m. to REVIEW AGENDA ITEMS

PLEDGE OF ALLEGIANCE: Commissioner Grubb

ATTENDEES: Brent Poll, Blair Halverson, John McCall, James Cook, Al Hawkins, Ralph Birt, Dana Birt, JE Collvins, David Gowers, Kelly Bambrough, Mike Fergus, Bruce Nilson, Shawn Durrant, Jerry Stephens, Mark Staples, and Chris Tremea.

APPROVAL OF CONSENT AGENDA:

- Minutes December 14, 2017
- 2018 Position Appointments—Chair, Co-Chair, Sketch Plan Liaison

Commissioner Grubb moved to approve the consent agenda as written. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

Commissioner Johnson moved to approve the 2018 Position Appointment for Wes Johnson as the Sketch Plan Liaison. Commissioner Grubb second the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

Commissioner Grubb moved to approve the 2018 Position Appointment of Commissioner Osborne as Chair and Commissioner Pitts as Co-Chair. Commissioner Johnson seconded.

Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

DECLARATION OF CONFLICT OF INTEREST:

Commissioner Johnson moved to open the public hearing for Public Hearing and Action on Conditional Use Permit: application for a Planned Dwelling Group located at approx. 1540 Canyon Drive, Parcel numbers 13-011-0134 and 13-011-0016, approx. 0.96 acres by applicant David Gowers. Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

******* PUBLIC HEARING *******

Public Hearing and Action on Conditional Use Permit: application for a Planned Dwelling Group located at approx. 1540 Canyon Drive, Parcel numbers 13-011-0134 and 13-011-0016, approx. 0.96 acres by applicant David Gowers: Mr. Gowers stated the intention is to find a use for the land that is behind the home that he owns. He has presented a site plan to the Sketch Plan Committee. He said the original request was to have a second lot created contingent upon having enough frontage. He wanted to revisit that because he has been given information from the surveyor in which he may have enough frontage. Barry said you will need a 160' of frontage, which you don't have. He said through a Planned Dwelling Group he would be able to construct a second single family residence on the lot that has one existing single family dwelling on it. The lot is .96 acres and is in the R-M zone.

Commissioner Osborne asked if there was any public comment. There was none.

Commissioner Johnson moved to close the public hearing for Public Hearing and Action on Conditional Use Permit: application for a Planned Dwelling Group located at approx. 1540 Canyon Drive, Parcel numbers 13-011-0134 and 13-011-0016, approx. 0.96 acres by applicant David Gowers. Commissioner Walton seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

******* PUBLIC HEARING CLOSED *******

Commissioner Osborne said the Planning Commission received a copy of the site plan with the emergency turn around driveway. Mr. Gowers discussed the long driveway. He said the width is 12' right now. He said some concerns were raised about the width meeting fire code. He said Chris Tremea said the fire code requires the driveway width to be 20' and a 96' diameter on the turn around. Mr. Gowers pointed out the power line in the way. Commissioner Osborne said the driveway will need to move to the east in that case.

Commissioner Walton moved to approve the Conditional Use Permit application for a Planned Dwelling Group located at approx. 1540 Canyon Drive, Parcel numbers 13-011-0134 and 13-011-0016, approx. 0.96 acres by applicant David Gowers with Barry's recommendations with a 20' right of way and 96' turnaround radius (as per Barry Burton's memo of 1 February 2018). Commissioner Grubb seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

Action on Rezone: application at approx. 7482 Cornia Drive (parcel 13-174-0001), approx. 1.313 acres from Commercial Highway (CH) to Light Industrial (LI) by applicant Shawn Durrant:

Shawn Durrant, 1834 S. River Run Huntsville, Utah approached the Planning Commission. Commissioner Osborne said we need a Development Agreement in place with this rezone request. He is recommending tabling until the Development Agreement is in place. Mr. Durrant said he applied for a Conditional Use Permit today. Commissioner Grubb said the city staff needs a copy of the Development Agreement. Barry said the City Attorney will need to approve the Development Agreement. Mr. Durrant asked the Planning Commission if it will work for him to have a tenant on one side of the building. Barry said the tenant will have to comply with the zone.

James Coleman, neighbor to property on Cornia Drive, said he has met with Mr. Durrant. He would like to see some plans since this building will be next to his home.

Commissioner Grubb moved to table the Rezone Application at approx. 7482 Cornia Drive (parcel 13-174-0001), approx. 1.313 acres from Commercial Highway (CH) to Light Industrial (LI) by applicant Shawn Durrant because there needs to be a Development Agreement included with the application. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

Commissioner Grubb moved to open the public hearing for Rezone Application at approximately 6825 S 475 E (parcel 13-023-0118 and 0183), approx. 2.65 acres from Agriculture (A) and Residential Low Density (R-L) to Residential Low to Moderate Density (R-LM) by applicant Hidden Valley Meadows Community, LLC. Commissioner Walton seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

******* PUBLIC HEARING *******

Public Hearing and Action on Rezone: application at approx. 6825 S 475 E (parcel 13-023-0118 and 0183), approx. 2.65 acres from Agriculture (A) and Residential Low Density (R-L) to Residential Low to Moderate Density (R-LM) by applicant Hidden Valley Meadows Community, LLC: This is the Winchester property through which the primary access road passes to get to Hidden Valley Meadows Subdivision. It appears the intention is to make this area part of the Hidden Valley Meadows Subdivision, though the city hasn't seen any concepts on how that would lay-out yet. It stands to reason that the developer would like to maximize the investment required to put in the access road from 475 East. The requested rezone is within conformance with the General Plan recommendation for this property.

Commissioner Osborne asked if there was any public comment.

Brent Poll, 7605 S. 1375 E., said he is representing the South Weber Coalition. He discussed the three super fund sites located in South Weber City that threaten this valley with contamination and pollutants. He said every property owner is responsible for the pollutants on their property.

He said Hill Air Force Base put out plume maps. He said the pollutants go well beyond the plume maps. (see attached)

Commissioner Johnson asked Mr. Poll if he has gone to the private property ombudsman. He said he is an environmental lawyer and located in the Department of Natural Resources. Chris Tremea said he is willing to go with Brent Poll to visit this guy.

Commissioner Grubb moved to close the public hearing for Rezone Application at approximately 6825 S 475 E (parcel 13-023-0118 and 0183), approx. 2.65 acres from Agriculture (A) and Residential Low Density (R-L) to Residential Low to Moderate Density (R-LM) by applicant Hidden Valley Meadows Community, LLC. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

******* PUBLIC HEARING CLOSED *******

Commissioner Johnson feels this fits with the development. Barry said it is consistent with the master plan. He doesn't see any issues with it. He said we have heard from Mr. Poll but we haven't received any evidence.

Commissioner Grubb moved to recommend approval to the City Council the Rezone Application at approximately 6825 S 475 E (parcel 13-023-0118 and 0183), approx. 2.65 acres from Agriculture (A) and Residential Low Density (R-L) to Residential Low to Moderate Density (R-LM) by applicant Hidden Valley Meadows Community, LLC. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

Action on Final Subdivision: Hidden Valley Meadows phase 2 located at approx. 6700 N 350 E (parcel 13-023-0189), approx. 6.8 acres by applicant Bruce Nilson: Barry reported that a plat has been submitted that includes the access road to 475 East. Barry reviewed Brandon Jones memo. Lot 205 needs a 20' easement to accommodate a drain line. Commissioner Grubb said that is included in Brandon's memo.

Barry Burton, City Planner's, memo of 1 February 2018: The proposed plat is consistent with the approved Preliminary Plat with the exception that the primary access road across from the Winchester property is not included. The developer will need to provide a revised plat with the access road from 475 East included. The lots all meet the size, width and density requirements of the R-LM Zone.

Brandon Jones, City Engineer's, memo of 31 January 2018:

GENERAL

1. Additional documentation from the geotechnical engineer is needed in order to produce the basement table needed on the plat (similar to the letter provided with Phase 1).
2. The South Weber Irrigation Company has agreed to serve the development, but a letter is still needed giving approval for the proposed improvements.

PLAT

3. The plat needs to extend the road to 475 East.
4. Addresses for the lots will be provided by our office.
5. A Basement Table needs to be added according to the recommendations of the geotechnical engineer. Note 1 will need to be revised with the new date of the geotechnical letter.
6. The easement on Lot 205 needs to be 20' wide.
7. All of the lots need to be listed as restricted "R" lots.
8. The cul-de-sac radius needs to be 63'.
9. The South Weber Irrigation Company easement for the ditch along the south side of the lots needs to be vacated with this plat. A note indicating the vacation, and a signature block for South Weber Irrigation Company should be added.
10. Side yard PUE's should be added for the drain lines on Lots 206 and 208.

IMPROVEMENTS

11. All proposed improvements, especially the street cross section, need to meet the current City Standards.
12. The fire hydrant placement should be reviewed and approved by the Fire Marshall.
13. Sheet 5. Only one inlet box is needed and a manhole connecting to the existing 18" RCP. The box should be placed at the south upstream end curb radius.
14. Sheet 5. The drain for the irrigation line does not appear to be at a low point.

Commissioner Johnson moved to approve Final Subdivision: Hidden Valley Meadows phase 2 located at approx. 6700 N 350 E (parcel 13-023-0189), approx. 6.8 acres by applicant Bruce Nilson subject to items completed in Barry Burton's memo of 1 February 2018 and Brandon Jones memo of 31 January 2018 and lot numbers corrected.

Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

PUBLIC COMMENTS: (None)

PLANNING COMMISSION:

Commissioner Walton: He asked about the follow up from the Summit concerning requesting UDOT updating the traffic study.

Commissioner Grubb: He stated he is concerned about the overlay zone and would like to get some direction. He would like to see it preserved. Barry said if what we proposed is not acceptable to the Council, he isn't sure what other avenues there are. Commissioner Grubb asked if the location of the frontage road can be designated. He said there are portions of the Cook property that sit low and there are areas that can't be built, so it will naturally preserve those areas. Commissioner Osborne asked if the area can be identified as a special improvement district. Barry said it would take a vote of the population. He said he needs direction. It was stated the City Council was specifically concerned with the density.

Commissioner Johnson: He reviewed the Parks and Trails Impact Study put together by Zions Bank. He discussed the need for the city to get involved in applying for recreational grants. He said money is available. Commissioner Grubb suggested Commissioner Johnson schedule a meeting with Council Member Halverson and himself to discuss what can be done.

Commissioner Osborne: He has met with Mayor Sjoblom concerning changing the location of the park and ride to free up that property for commercial development. Barry said he has received a plan from Dan Murray concerning increasing the parking lot by Little Caesars.

ADJOURNED: Commissioner Grubb moved to adjourn the Planning Commission meeting at 7:49 p.m. Commissioner Pitts seconded the motion. Commissioners Grubb, Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

APPROVED: _____ Date

Chairperson: Rob Osborne

Transcriber: Michelle Clark

Attest: _____
Planning Coordinator: Lisa Smith

APPLICATION FOR CHANGE OF ZONING

South Weber City
1600 East South Weber Drive
South Weber, Utah 84405
Phone: (801) 479-3177 Fax: (801) 479-0066

OFFICE USE: Application # 1802 Fee \$ 300 Receipt # 17048277 Date Received 1/24/18

Owner of Property Stan Cook and Jim Cook

Applicant's Name _____
Mailing Address _____ City, State, Zip _____
Phone _____ Fax _____ Email _____

Agent's Name Nilson Homes
Mailing Address 5617 S. 1475 E. City, State, Zip Ogden, Ut. 84403
Phone 801-392-8100 Fax _____ Email mark@nilsonhomes.com

Request: 9.846 Acres/Sq. Feet be changed from A zone to R-P zone

13.593 Acres/Sq. Feet be changed from A zone to R-LM zone

Property Address: 725 East 6650 South

Parcel Number(s): 13-275-0005, 13-275-0006 Total Acres or Sq. Feet: 23.439

Legal Description: (If description is longer than space provided, please submit complete legal description on an addendum sheet.)

What is the proposed use?

To create a residential subdivision

In what way does the proposal recognize the City's General Plan?

Proposed subdivision is consistent with the General Plan

Public Notice Authorization: I (we) do hereby give permission to South Weber City to place a city Apublic notice@ sign on the property contained in this application for the purpose of notification of the change of zoning application.

Signed:

Stanley R. Cook
Property Owner

James Cook
Property Owner

APPLICANT'S AFFIDAVIT

State of Utah)
County of Davis)

I (we) Stanley Cook & Jim Cook, being duly sworn, depose and say I (we) am (are) the sole
Property Owner(s) or Agent of Owner
owner(s)/agent of the owner(s), of the property involved in this application, to-wit, _____
Property Address

and that the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly and to the best of my ability, present the argument in behalf of the application. Also, all statements and information are in all respects true and correct, to the best of my knowledge and belief.

Dated this 23rd day of January, 2018.

Signed:

Stanley R. Cook
Property Owner or Agent

James Cook
Property Owner or Agent

Subscribed and Sworn before me this 23rd day of January, 2018.

Notary Public: _____

AGENT AUTHORIZATION

State of Utah)
County of Davis)

I (we) Stanley Cook and Jim Cook, the sole owner(s) of the real property located at _____
Property Owner(s)
_____, South Weber City, Utah do hereby appoint Bruce L. Nelson,
Property Address

as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and to appear on my (our) behalf before any city boards considering this application.

Dated this 23rd day of January, 2018.

Signed:

Stanley R. Cook
Property Owner

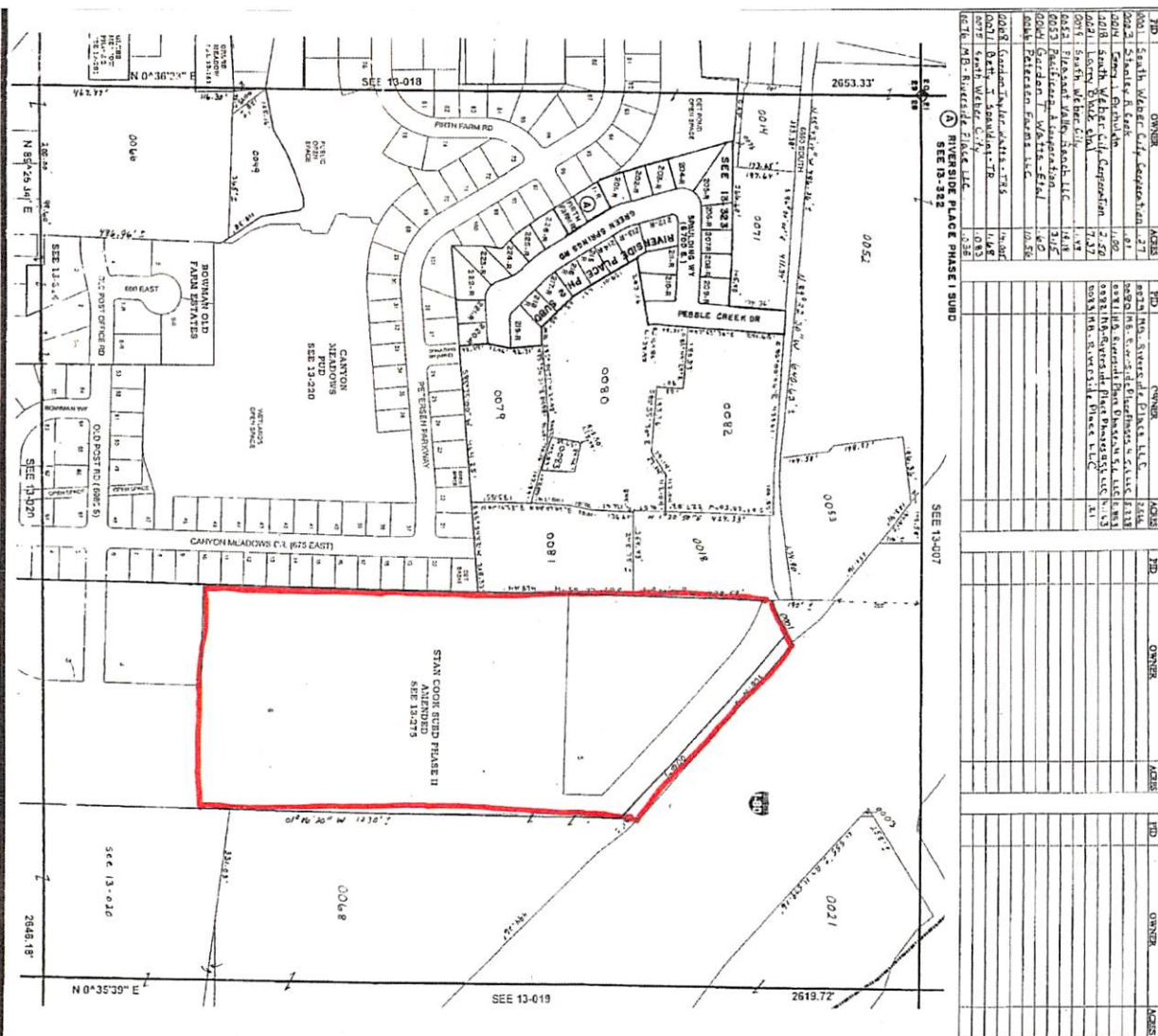
James Cook
Property Owner

Subscribed and Sworn before me this 23rd day of January, 2018.

Notary Public: _____



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Community and Economic Development

Davis County Administration Building - 61 S. Main Street - Farmington Utah 84025
Telephone: (801) 451-3279- Fax: (801) 451-3281
Barry Burton/Director

NILSON HOMES REZONE

REQUEST: Approval of a rezone from A to R-P and R-LM

GENERAL INFORMATION: This proposal is to rezone 9.846 acres of the Stan Cook property adjacent to the east side of Canyon Meadows PUD to the R-P zone in preparation for a patio home development. Applicants would also like to rezone an additional 13.593 acres to the R-LM zone.

The General Plan indicates there is a potential patio home area in this vicinity. The Plan doesn't show this specifically on the Cook property, but it is not intended to be specific to a property, just an indication of the general area where it should be allowed. The General Plan also recommends the rest of the area to be moderate density residential. This request is not contrary to the General Plan recommendations.

All that being said; Brandon and I have had several conversations with Nilson Homes concerning this property and I am concerned that the request to rezone to R-LM will not achieve the developer's stated goals. I don't know why they have requested that zone when the General Plan would allow for R-M which would be consistent with what I have heard and seen so far from the developer.

STAFF RECOMMENDATION: I recommend the Planning Commission forward this to the City Council with a recommendation of approval.

Alternatively, if the applicants agree that R-M would be a better zone for the 13.593 acres, I would recommend the Planning Commission forward the R-P request to the City Council with a recommendation of approval. And, to prevent the applicant from having to reapply for a rezone on the 13.593 acres; I recommend the Planning Commission, under its own authority, forward a recommendation to rezone this parcel to R-M to the City Council.

APPLICATION FOR CHANGE OF ZONING

South Weber City
1600 East South Weber Drive
South Weber, Utah 84405
Phone: (801) 479-3177 Fax: (801) 479-0066

OFFICE USE: Application # R21803 Fee \$ 300 + 180 Receipt # 17048675 Date Received 2/21/18

Owner of Property Ray Creek LLC Jon Ray

Applicant's Name Ray Creek LLC
Mailing Address 11148 Zealand Ave N City, State, Zip Chaplain, MN 55316
Phone 612 518 7629 Fax _____ Email Holker law offices@yahoo.com

Agent's Name Kody Holker
Mailing Address SAME AS ABOVE City, State, Zip SAME AS ABOVE
Phone _____ Fax _____ Email _____

Request: _____ Acres/Sq. Feet be changed from Ag zone to MD Residential zone AS DISCUSSED
_____ Acres/Sq. Feet be changed from _____ zone to _____ zone in meetings with subdivision

Property Address: 1900 E 3 CANYON Drive

Parcel Number(s): 13-012-0071 Total Acres or Sq. Feet: 7.5 ACRES

Legal Description: (If description is longer than space provided, please submit complete legal description on an addendum sheet.)

Beginning at the Southeast corner of Section 27, T5 R1 SLB & M, & running
thence South 89°58' West 157.6' along the section line; thence North 0°02' West 472.1'; thence South 89°58' West
1370.4'; thence North 0°02' West 847.1'; thence North 89°58' East 330.0'; thence South 0°02' East 496.90 feet, more or less,
to the North line of property conveyed in warranty Deed recorded Nov 16, 2015 as Entry # 2905137 in Book
6344 @ page 903 of records. Thence along said property the following 3 courses: South 89°58'00" West 89.60'
What is the proposed use? thence South 00°02'00" East 290.10' & North 89°58'00" East 89.60' thence South
0°02' East 33' to the point of beginning.

Residential Moderate Density

In what way does the proposal recognize the City's General Plan?

Residential Moderate Density

Public Notice Authorization: I (we) do hereby give permission to South Weber City to place a city Apublic notice@ sign on the property contained in this application for the purpose of notification of the change of zoning application.

Signed:

[Signature]
Property Owner

[Signature]
Property Owner

APPLICANT'S AFFIDAVIT

State of Utah)
County of DAVIS)

I (we) KODY HOCKER, being duly sworn, depose and say I (we) am (are) the sole
Property Owner(s) or Agent of Owner
owner(s)/agent of the owner(s), of the property involved in this application, to-wit, 1900 W EAYMAN DRIVE
Property Address

and that the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly and to the best of my ability, present the argument in behalf of the application. Also, all statements and information are in all respects true and correct, to the best of my knowledge and belief.

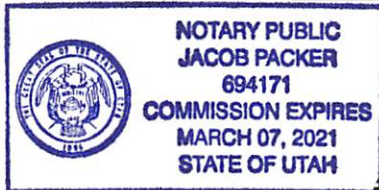
Dated this 15th day of FEBRUARY, 2018.

Signed:

[Signature]
Property Owner or Agent

Property Owner or Agent

Subscribed and Sworn before me this 15th day of February, 2018.



Notary Public:

[Signature]

AGENT AUTHORIZATION

State of Utah)
County of _____)

I (we) _____, the sole owner(s) of the real property located at
Property Owner(s)

_____, South Weber City, Utah do hereby appoint _____,
Property Address

as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and to appear on my (our) behalf before any city boards considering this application.

Dated this _____ day of _____,

Signed:

Property Owner

Property Owner

Subscribed and Sworn before me this _____ day of _____,

Notary Public: _____

EXHIBIT "A"

Beginning at the Southeast corner of Section 27, Township 5 North, Range 1 West, Salt Lake Base & Meridian, and running thence South 89°58' West 159.6 feet along the Section line; thence North 0°02' West 472.9 feet; thence South 89°58' West 170.4 feet; thence North 0°02' West 847.1 feet; thence North 89°58' East 330.0 feet; thence South 0°02' East 996.90 feet, more or less, to the North line of property conveyed in Warranty Deed recorded November 16, 2015 as Entry No. 2905137 in Book 6394 at Page 903 of records; thence along said property the following three courses: South 89°58'00" West 89.60 feet, South 00°02'00" East 290.10 feet and North 89°58'00" East 89.60 feet; thence South 0°02' East 33.00 feet to the point of beginning.

Situated in DAVIS County

Parcel Identification Number: 13-012-0071

7.	PROPOSED 27" STORM DRAIN LAYOUT CENTERED ON EXISTING PIPE	
8.	EXISTING SEWER MANHOLE R/W=464.10 FL=483.77	
9.	EXISTING SEWER MANHOLE R/W=464.10 FL=487.27	
10.	EXISTING STORM DRAIN MANHOLE R/W=483.90 FL=487.27	
11.	EXISTING STORM DRAIN MANHOLE R/W=483.90 FL=485.50	
12.	EXISTING STORM DRAIN MANHOLE R/W=483.90 FL=478.40	
13.	EXISTING STORM DRAIN MANHOLE R/W=483.90 FL=494.63	
14.	EXISTING STORM DRAIN MANHOLE R/W=483.90 FL=496.10	
15.	EXISTING STORM DRAIN CATCH BASIN R/W=483.90 FL=496.50	
16.	EXISTING SEWER MANHOLE R/W=483.90 FL=495.46	



Community and Economic Development

Davis County Administration Building - 61 S. Main Street - Farmington Utah 84025
Telephone: (801) 451-3279- Fax: (801) 451-3281
Barry Burton/Director

RAY CREEK LLC **REZONE**

REQUEST: Approval of a rezone from A to R-M

GENERAL INFORMATION: This proposal is to rezone 7.44 acres of property at approximately 1900 east Canyon Drive. This request is consistent with the recommendations of the General Plan. The Sketch Plan Committee has already met with developers several times to discuss the issues of putting in a 17 lot residential development on the property. Plans are proceeding on what will be called the Sun Ray Subdivision.

STAFF RECOMMENDATION: I recommend the Planning Commission forward this to the City Council with a recommendation of approval.

RAY CREEK LLC CONDITIONAL USE

REQUEST: This request is for a conditional use permit to allow an excavation of over 200 cubic yards on the 17.4 acre parcel that is the subject of the rezone above.

GENERAL INFORMATION: The developers of the Sun Ray Subdivision are desirous to proceed with plans in preparation for development of the property. Due to the configuration of the property, there are concerns that it can be developed for single family homes. The fact that it can be developed for single family homes is a given as is the fact that there will be one north/south road running its length. Therefore, I don't see a real problem with the request for a conditional use permit prior to subdivision approval.

The problem is we have not received a grading plan. I suspect there is a desire to excavate much more than is necessary for the development. Without a grading plan, we don't know how much material the excavation will require. We don't know the extent of an impact hauling that material will have on our City streets.

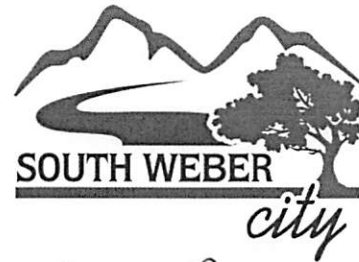
STAFF RECOMMENDATION: I recommend that the Planning Commission not approve the request until we receive a grading plan that indicates the volume of material to be removed, what the method of excavation will be, and what the haul route will be.

For Office Use Only

Application #: CU 18-02
Fees received by: 400 SK Date of submittal: 2/21/18
Amount Paid: 400 Receipt #: 17 048676

Initial Review, all of the required supporting materials have been provided: _____

PC Meeting Date: _____



Sun Ray

**Conditional Use Application
Residential Zone**

- ☐ Daycare/Preschool
- ☐ Planned Dwelling Group
- ☐ Recreational Vehicle Park
- ☐ Electronic Comm. Facility

- ☐ Service Accessory
- ☐ Model Home
- ☐ Hobby Kennel
- ☐ Rental Unit

- ☐ Twin Home
- ☐ Group Home
- ☐ Dog Kennel

☒ Other Requiring CU grading

Property Address: 1850 EAST CANYON DRIVE

Parcel Number(s): 13-012-0071 Total Acres: 7.44

Current Zone: Agriculture If Rezoning, to what zone: Residential Bordering Zones: Agriculture & Residential

Surrounding Land Uses: FARMING, DAIRY & Beef Cattle, Stormwater, FREEWAY and residential

Business Name (if applicable): Wilcoxon Enterprises

Anticipated # of Employees: ☐ 0 ☒ 1-10 ☐ 11-20 ☐ 21+

Anticipated # of Customers on a Daily Basis: ☒ 0 ☐ 1-10 ☐ 11-20 ☐ 21+

Available Parking Spaces: _____

Sign Description (attach separate sketch): _____

#Residential Units (if applicable): _____

#of Dogs (Kennels Only): _____

Hours of Operation: 9 AM to 4 PM MON - FRIDAY

Contact Information

Property Owner(s)

Name: Ray Creek LLC
Address: 11148 Zealand Ave N
City/State/Zip: Champlin, MN 55316
Phone: 612 518 7629
Fax: _____
Email: Holkerlawoffices@yahoo.com

Best Way/Preferred Method of Contact:

☒ Email ☒ Phone _____ Fax _____ Mail

Authorized Agent

(Owner Must Sign Authorization Form)

Name: Rob Edwards
Address: 68 N 700 W
City/State/Zip: Kaysville UT 84037
Phone: 801 558 4740
Fax: _____
Email: Robedwards@gmail.com

Best Way/Preferred Method of Contact:

☒ Email ☒ Phone _____ Fax _____ Mail

PROJECT: Bun Ray Subdivision
PROPERTY PARCEL NUMBER(S): 13-012-0071

APPLICANT'S AFFIDAVIT

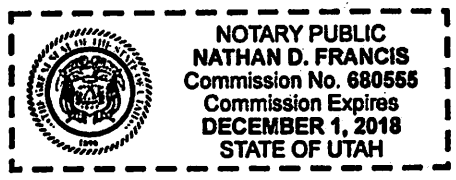
State of Utah)
County of _____)
I/We Bob Edwards § Ray Creek LLC, the sole owner(s)/authorized agent of the owner(s) of the property involved in this application, located at 1860 Canyon Drive, swear the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly, to the best of my/our ability, present the argument in behalf of the application requested herewith, and that the statements and information above referred to are in all respects true and correct to the best of my/our knowledge and belief. I/We do also hereby give permission to South Weber City to place a city "public notice" sign on the property contained in this application for the purpose of notification of the conditional use application and to enter the property to conduct any inspections related to this application.

Dated this 21 day of February, 2018

Signed:

[Signature]
Property Owner or Agent

Property Owner or Agent



Subscribed and sworn to before me on this 21st day of Feb, 2018.

S
E
A
L

[Signature]
Notary Public

AGENT AUTHORIZATION

State of Utah)
County of _____)
I/We _____, the sole owner(s) of the real property located at _____, South Weber, Utah, hereby appoint _____ § _____ as my/our agent with regard to this application affecting the above described real property, and authorize said agent to appear on my/our behalf before any city commission, board or council considering this application.

Dated this _____ day of _____, _____.

Signed:

Property Owner or Agent

Property Owner or Agent

Subscribed and sworn to before me on this _____ day of _____, _____.

S
E
A
L

Notary Public

Legend
Sun Ray outline

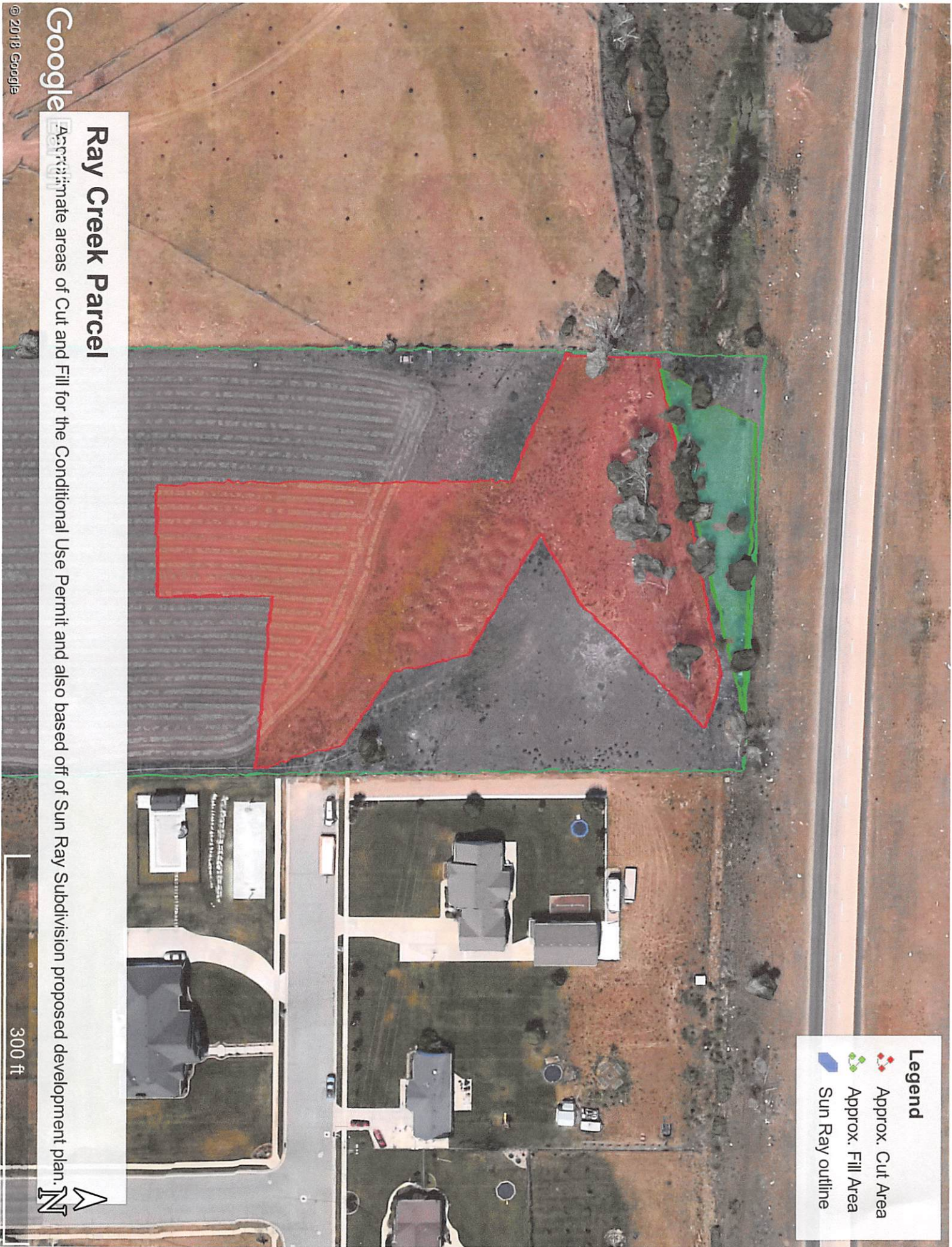
Ray Creek Parcel
Outline boundary of Ray Creek Parcel where the operations under the conditional use permit will occur.

Google Earth




© 2018 Google

600 ft





Legend

-  Approx. Cut Area
-  Approx. Fill Area
-  Sun Ray outline

Ray Creek Parcel

Approximate areas of Cut and Fill for the Conditional Use Permit and also based off of Sun Ray Subdivision proposed development plan.





Legend

- Processing Area
- Rock, Sand and Roadbase Stockpiles
- Sun Ray outline
- Topsoil Berm (Strippings of Cut Area)

Conditional Use Explanation:

The processing area will be where the material excavated from the cuts will be separated into three different materials; Rock, Road Base and Sand. This will occur over a month period of time during the operating hours of 800am to 400pm. The trees and waste that has been dumped on site will be cleaned up and hauled away to the landfill. The topsoil from the cut areas the top 2 to 3 feet will be windrowed in a topsoil berm on the Northeastern property line to protect the adjacent owner from sound and visual impacts during the operating hours. The topsoil will be utilized at the end of the project for grading at home sites. This grading and processing will benefit the city and public in the following manner: Utilization of onsite material, public safety, protection of public streets and assets and removal of burned and dead onsite nuisance and hazards to the public. This will be done with the Sun Ray development plan in mind which will allow these materials to be utilized on site eliminating the risks to the public of import and export heavy truck traffic.

P.I.D.	OWNER	ACRE	P.I.D.	OWNER	ACRE
0001	SOUTH WEBER TOWN	.480	0019	UTAH STATE ROAD COMMISSION	9.830
0002	SOUTH WEBER CITY	.090	0020	UTAH STATE ROAD COMMISSION	5.520
0003	Rocky T Smith	.370			
0004	James D Collard	1.500	0022	DAVIS COUNTY	.340
0005	UTAH POWER & LIGHT COMPANY	.170	0023	Est R Harper-TES	.500
			0026	Carol Beckstead et al Trs	.863
0010	PROBASCU, DIGNIT R & ROXANNE	.410			
0011	MEDINA, Pauline	.450			
0012	JAMES, RICHARD et al	.450	0010	MOUNTAIN FUEL RESOURCES INC	1.118
0013	John Fabley	2.890	0031	SUDWICKS, DAVID ORAL	1.900
0014	UTAH STATE ROAD COMMISSION	1.860	0032	Shane L Miller	1.100
0015	UTAH STATE ROAD COMMISSION	1.800			
0016	UTAH STATE ROAD COMMISSION	2.040	0034	Robert J Paterson-TES	1.100
0017	LOHR, FRANCIS R	4.340			

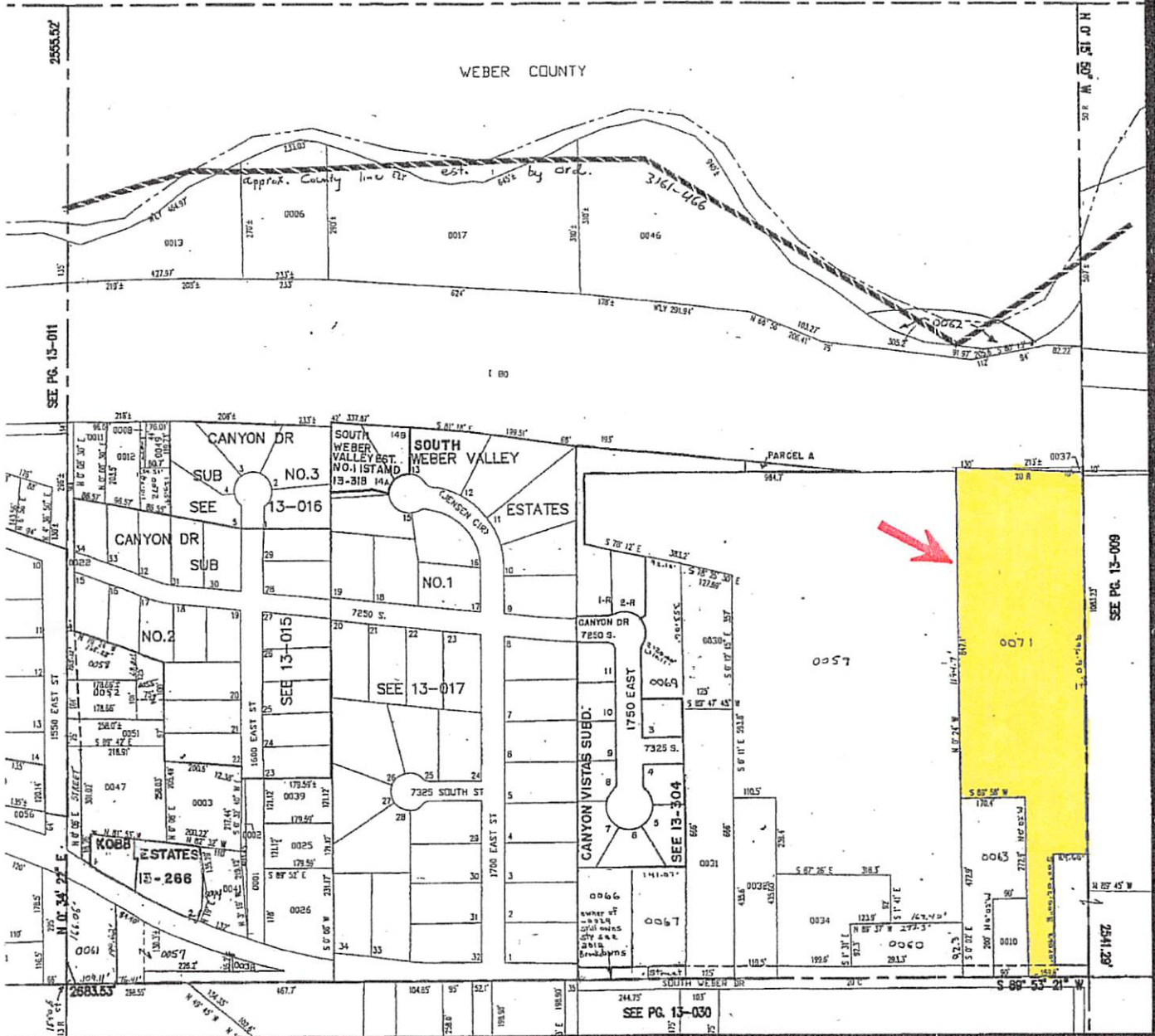
P.I.D.	OWNER	ACRE
0037	UTAH STATE ROAD COMMISSION	.020
0038	WEBER BASIN WATER CONSERVANCY D	.042
0039	Hal Nelson (etal)	.500
0040	SOUTH WEBER CITY	.490
0041	SOUTH WEBER CITY CORP	.020
0042	David South	1.250
0043	James, Richard A Cleveland	.220
0044	Heninger, Erik S.	.432
0045	LINGER, JOLENE W (TES)	.397

P.I.D.	OWNER	ACRE
0055	Linger, JOLENE W (TES)	.392
0057	Est J Harold, ETAL	.748
0058	Michael L Leduc-TR	.41
0059	Robert J Paterson-TR	17.29
0060	Peterien, Mather R	.52
0061	EVAN J. RAY-etal	.322
0062	11th St. Road Comm	.76
0063	MESSELY, J CRAIG	1.38
0064	Tracy P Bashian	.94
0065	Gunny T. Judy L Blackner-TR	.24
0066	Quasar Gas Company	.915
0067	Ray Lou Ann Tr	7.43
0068	Will Shontz-Jamie	.201
0069	James Richard Cleveland	.009

PREFIX 17
13-012
LAST #



SCALE:
1" = 200'



SE SECTION 27 T 5N R 1W SALT LAKE MERIDIAN
DAVIS COUNTY, UTAH - RECORDERS OFFICE

11-93

THIS PLAT IS PROVIDED, WITHOUT CHARGE, FOR YOUR INFORMATION. IT IS NOT INTENDED TO SHOW ALL MATTERS RELATED TO THE PROPERTY INCLUDING, BUT NOT LIMITED TO, AREA, DIMENSIONS, EASEMENTS, ENCROACHMENTS, OR LOCATION OF BOUNDARIES. IT IS NOT A PART OF, NOR DOES IT MODIFY, THE COMMITMENT OR POLICY TO WHICH IT IS ATTACHED. THE COMPANY ASSUMES NO LIABILITY FOR ANY MATTER RELATED TO THIS SKETCH. REFERENCE SHOULD BE MADE TO AN ACCURATE SURVEY FOR FURTHER INFORMATION.



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RAY CREEK LLC REZONE

REQUEST: This is a request for a rezoning of 7.44 acres from R-M to R-1.

GENERAL INFORMATION: The proposal is to rezone 7.44 acres of property at approximately 1900 East Canyon Drive. This request is consistent with the recommendations of the General Plan. The Planning Commission has already met with developers several times to discuss the issues of rezoning for residential development on the property. Plans are proceeding on what is called the Sun Ray Subdivision.

STAFF RECOMMENDATION: I recommend the Planning Commission forward this to the City Council with a recommendation of approval.

RAY CREEK LLC CONDITIONAL USE

REQUEST: This request is for a conditional use permit to allow an excavation of over 200 cubic yards on the 17.44 acre parcel that is the subject of the rezone above.

GENERAL INFORMATION: The developers of the proposed Sun Ray Subdivision are desirous to proceed with excavations in preparation for future development of the property. Due to the configuration of the property, there are very limited ways that it can be developed for single family homes. The extension of Canyon Drive from the east is a given as is the fact that there will be one north/south road in the middle of the property running its length. Therefore, I don't see a real problem with allowing some ground preparation prior to subdivision approval.

The problem is we have not received a grading plan. I suspect there is a desire to excavate much more than is necessary for the subdivision development. Without a grading plan, we don't know how much material they are planning on excavating, how much of an impact hauling that material will have on the adjacent residential neighborhood or on our City streets.

STAFF RECOMMENDATION: I recommend tabling this request until we receive a grading plan that indicates all final grades, the volume of material that will be removed, what the method of excavation will be and what the haul route will be.