

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 11 February 2016

TIME COMMENCED: 6:32 p.m.

PRESENT: COMMISSIONERS:

Debi Pitts
Rob Osborne
Wes Johnson
Taylor Walton
Wayne Winsor

CITY PLANNER:

Barry Burton

CITY ATTORNEY:

Doug Ahlstrom

DEPUTY RECORDER:

Elyse Greiner

CITY RECORDER:

Tom 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 Pitts

VISITORS: John Reeve, Lynn Poll, Cymbie Rowser, Robert Rowser, Shawn Byram, Darrell Byram, Suzanne Mitchell, Dusty Mitchell, Brent Stauffer, Paden Mitchell, and Douglas Brady.

APPROVAL OF THE MEETING MINUTES – Commissioner Pitts

- **14 January 2016**

Commissioner Johnson said page 3 first paragraph needs more clarification about the maps of the development rights that were purchased by the State or HAFB. He requested that Page 7 include language concerning the development agreement when referencing Brandon's comments after the motion on the subdivision.

Commissioner Pitts moved to approve the meeting minutes of 14 January 2016 as amended. Commissioner Winsor seconded the motion. Commissioners Johnson, Osborne, Pitts, Walton, and Winsor voted yes. The motion carried.

APPROVAL OF THE AGENDA: Commissioner Winsor moved to approve the agenda as written. Commissioner Pitts seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

DECLARATION OF CONFLICT OF INTEREST: None

Administrative Actions (Application of Ordinances):

Discussion and Action on Final Subdivision: application for Riverside Place Subdivision Phase 1 (1 lot), located at approx. 600 E. 6650 S. (Parcel 13-018-0072); Developer: Douglas Brady: Commissioner Osborne asked if the Planning Commission has anymore discussion on this item as it was discussed in the work meeting. Commissioner Johnson asked at what point is Spaulding Drive abandoned and the utilities stubbed. Barry stated it will be in Phase 2 and seems to be the most logical time to do it. He said Phase 1 is for a model home for the developer.

Barry Burton, City Planner, reviewed Brandon Jones, City Engineer's memo of 10 February 2016 which is as follows:

Our office received Final Plats for Phase 1 and 2, as well as Improvement Plans for Phases 1 and 2 combined, dated January 28, 2016.

HISTORY

At the Planning Commission Meeting on January 14, 2016, Preliminary Approval was given, subject to:

1. The Development Agreement must be approved by the City Council before Phase 2 will be given final approval.
2. Old Fort Road, from 475 East to the east end of the posse grounds must be built as a part of Phase 3, OR the Developer's portion of the cost (as identified in the Development Agreement) must be placed in a cash escrow account.

A draft of the Development Agreement, with the currently proposed Cost Share Analysis, has been prepared and is in the process of being negotiated with the associated participants and finalized. However, it has not yet been approved by the City Council. Therefore, even though plans were submitted for both Phases 1 and 2, we are only providing comments on Phase 1.

We recommend Final Approval be given for Phase 1, subject to the following being completed before Final Approval from the City Council:

APPROVAL w/ CONDITIONS

1. We received a "temporary" will-serve letter from JUB (the engineer representing the South Weber Irrigation Company) dated November 25, 2015, indicating that it is anticipated that they will serve the subdivision. However, the letter also indicates several items still needing to be addressed before a final approval letter will be given. This letter will be needed for final approval.
2. We have received a will-serve letter from Central Weber Sewer District. An approval letter from the District will be required in order to make the connection to the sewer in 6650 South (future Old Fort Road).
3. A 15' wide easement is needed for the sewer line. This needs to be a separate Grant of Easement document because it lies outside the subdivision boundary.

PLAT

4. The address for Lot 1 is: 6755 S. Firth Farm Road.
5. The street is labeled incorrectly. The name of the road is: Firth Farm Road.
6. The following note should be added: "Lot 1 is subject to the requirements of the Geotechnical Report prepared by GSH, dated December 3, 2015"
7. Lot 1 should be labeled with an "R" restriction with the following note explaining the restriction: "R = Basements are not allowed, due to the presence of high groundwater and no land drain system available." (Barry said he

discussed this at length with Brandon today and decided if a basement is installed, it will be the responsibility of the developer to have a geotechnical report conducted.)

8. The Boundary Description needs a couple of adjustments:

a. The callout to the POB is listed as 1545.24' in the description, but labeled on the drawing as 1545.23'.

Whichever one is correct should match in both locations.

b. The beginning reference to the POB being on the "Southerly Right-of-Way line of Firth Farms Road" is incorrect. The POB is on the northeast line of Lot 97 of the Canyon Meadows PUD.

9. The Owner's Dedication needs to be revised. There is language referencing several things not present in this subdivision. We can provide the language needed.

10. The Boundary Description should probably include the southeasterly radius corner of the Right-of-Way.

Otherwise, this small radius will need to be shown as Right-of-Way in the Phase 2 plat.

11. The property surrounding the subdivision should be shown and labeled as it currently exists; with the current ownership, and not future Phase 2.

IMPROVEMENT PLANS

12. Each phase needs to stand alone. A set of Improvement Plans needs to be provided only showing the improvements needed for Phase 1. This will be the basis for establishing the escrow for this phase.

13. It appears that the sewer will be the only utility that will need to be extended beyond the boundaries of Phase 1.

Note: Before the Plat can be recorded, all required improvements not installed must be escrowed for. Before a Building Permit can be given, all the required improvements must be installed (with the exception of the asphalt and sidewalk)

Douglas Brady said they have zero intention to do any basements. He said some of the larger lots may have two stories. Barry asked about the sewer. Douglas said they understand that it must be in place in Phase 1.

Commissioner Winsor moved to recommend approval of Final Subdivision: application for Riverside Place Subdivision Phase 1 (1 lot), located at approx. 600 E. 6650 S. (Parcel 13-018-0072); Developer: Douglas Brady subject to:

- 1. Items listed in Brandon Jones letter of 10 February 2016**
- 2. All City fees must be paid prior to approval.**

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

Legislative Recommendations (Discretionary):

Development Agreement for Riverside Place Subdivision; Lindsay Douglas Construction

LC: Barry Burton, City Planner, discussed dedication of the road on the north side by Mr. Stephens. He said this needs to be included in the agreement. He said the City needs to negotiate with the other two property owners. Commissioner Winsor said he doesn't like having an agreement until all parties have been contacted and are in agreement. Douglas Brady said he would like to have discussions with the City concerning the estimates on the road. Barry said the dedication of the land needs to be identified by Mr. Stephens as well. Commissioner Winsor voiced his concerns with the three year term limit of the agreement. John Reeve suggested having a work meeting with the developer and other property owners. Barry said some property owners will just be dedicating land and not part of the cost to install the road. Douglas Brady discussed the possibility of escrowing money for the road. Barry said that doesn't cover the

dedication of the land that the developer doesn't control. John Reeve discussed the City paying for the widening of the road.

Commissioner Winsor moved to table the Development Agreement for Riverside Place Subdivision; Lindsay Douglas Construction LC to discuss this item in a work meeting with the developer. Commissioner Pitts seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

Commissioner Winsor moved to open the public hearing on Land Use Ordinance amendment to code section 10.01.100, Definitions (Yard, Rear). Commissioner Johnson seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

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

Public Hearing and Action on Land Use Ordinance: Amendment to Code Section 10.01.100, Definitions (Yard, Rear). It is proposed that Section 10-1-100 Definitions (Yard, Rear) be amended as shown below. The underlined text is proposed to be added.

YARD, REAR: A yard between the rear lot line and the rear setback line of a main building extending across a full width of the inside lot; and for corner lots, a yard between the rear lot line and the rear setback line of the building, extending between the side lot line and the front frontage line opposite thereto. On lots with five (5) or more sides, the required minimum rear yard setback may be reduced to fifteen (15) feet measured from any point of a building foundation to the nearest point of a lot line. Only one corner of a dwelling may project into the required rear yard space. See appendix A set forth in section 10.01.110 of this chapter.

Commissioner Osborne asked if there was any public comment.

Mike Bastian, 7721 S. 1750 E., said he thinks this is a good thing. He said as a developer you can run into this in a cul-de-sac. This allows for a nice backyard that fits on the lot. He feels it is well written.

Commissioner Winsor moved to close the public hearing on Land Use Ordinance amendment to code section 10.01.100, Definitions (Yard, Rear). Commissioner Johnson seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

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

Commissioner Johnson moved to approve the Land Use Ordinance amendment to code section 10.01.100, Definitions (Yard, Rear) as noted in the written ordinance. Commissioner Pitts seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried

Discussion Items (No Action Taken):

Potential subdivision on parcel 13-021-0103; Lynn Poll: Lynn Poll, 826 E. South Weber Drive, discussed the possibility of building homes on three acres of property owned by Mike and Beverly Clark. Elyse stated Mike Clark has submitted a concept plan application on 28 May

2015; therefore, he is able to move forward with development and isn't affected by Ordinance 16-02. Lynn said there is a one foot holding strip and he can purchase some of it, but not all. Discussion took place and Mr. Poll talked about putting a home on each end of the property. It was stated the road will need to be widened. Barry said the dedication of the land as a public street will be required. Barry said he is willing to sit down with Mr. Poll and discuss this item further.

PUBLIC COMMENTS:

Cymbie Rowser, 985 E. 7375 S., said there is contamination on Parcel #13-021-0103, property of which his brother has been in to the City several times concerning it. She is a responsible animal owner. She feels there are lots of things that need to be considered.

Suzanne Mitchell, 7494 S. 1025 E., said her private lane is next to this property. She said fifteen years ago the master plan was being negotiated and in order to get a building permit she had to deed a certain portion of land. She said her father is not selling his property and won't be as long as she is alive. She said her sister's land is not for sale. She feels the City needs to look around at other property owners because there is a possibility of it being land locked. Commissioner Osborne said the City can't land lock your dad. He said that is why the road is stubbed. Suzanne said the property owners will fight it because they want to stop Lester Drive from going through there. Lynn Poll said he doesn't think the City is planning on extending Lester Drive. He said if the road isn't going to be a commuter road, 70 ft. is awfully wide.

ADJOURNED: Commissioner Winsor moved to adjourn the Planning Commission meeting at 7:33 p.m. Commissioner Walton seconded the motion. Commissioners Johnson, Osborne, Pitts, Walton, and Winsor voted yes. The motion carried.

APPROVED: _____ **Date**
Chairperson: Rob Osborne

Transcriber: Michelle Clark

Attest: _____ **Deputy Recorder: Elyse Greiner**

SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

DATE OF MEETING: 11 February 2016

TIME COMMENCED: 6:00 p.m.

PRESENT: COMMISSIONERS:

Debi Pitts
Rob Osborne
Wes Johnson
Wayne Winsor
Taylor Walton

CITY PLANNER:

Barry Burton

CITY ATTORNEY:

Doug Ahlstrom

CITY RECORDER:

Tom Smith

DEPUTY RECORDER:

Elyse Greiner

Transcriber: Minutes transcribed by Michelle Clark

VISITORS: John Reeve, Doug Brady.

Approval of Meeting Minutes of 14 January 2016: (no discussion on this item)

Commissioner Osborne requested that if a recommendation has been given to the City Council from the Planning Commission, the motion should include that all fees need to be paid.

Commissioner Osborne recommended one meeting per month beginning in March and would recommend a motion be made at the last meeting in February.

Administrative Actions (Application of Ordinances):

Discussion and Action on Final Subdivision: application for Riverside Place Subdivision Phase 1 (1 lot), located at approx. 600 E. 6650 S. (Parcel 13-018-0072); Developer: Douglas Brady: Commissioner Osborne said this is requested approval for one lot located at approximately 600 E. 6650 S. The development agreement needs to be reviewed and approved by the City Council and once that is approved, Phase 2 will come before the Planning Commission.

Legislative Recommendations (Discretionary):

Development Agreement for Riverside Place Subdivision; Lindsay Douglas Construction LC

Public Hearing and Action on Land Use Ordinance: Amendment to Code Section 10.01.100, Definitions (Yard, Rear). It is proposed that Section 10-1-100 Definitions (Yard, Rear) be amended as shown below. The underlined text is proposed to be added.

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Commissioner Winsor asked if there are setbacks for different zones. Barry Burton, City Planner, explained that they are called “yard” in the ordinance. Commissioner Winsor is concerned how this is measured. Barry said it is basically the shortest distance. He said that is typical in the industry and when you look at the drawing, you can see that. Commissioner Winsor suggested amending the ordinance to include certain rear yard requirements. Barry said the intent for a rear setback is to have a certain amount of open space.

Discussion Items (No Action Taken):

Potential subdivision on parcel 13-021-0103; Lynn Poll: Lynn Poll would like to discuss the possibility of building a couple of homes on property owned by Mike and Beverly Clark.

Report by City Attorney regarding recent City Council actions:

Doug Ahlstrom, City Attorney, stated this ordinance inhibits the City acting on any building permits or subdivision development for six months. He said this ordinance recently passed at the City Council meeting on 9 February 2016 on a 3 to 2 vote. He said this ordinance is prospective with any plan in the works being able to proceed. He said the City does not have enough water to satisfy both Riverside Place and Old Maple Farms Subdivisions. In the meantime, the City Engineer will be working on a capital facilities plan. Doug Brady said they are interested in another area and would like to go through preliminary. He was told the City can’t act on that for six months.

Tom Smith, City Recorder, said the City doesn’t currently have a plan in place for water and the capital facilities plan needs to be completed. Commissioner Osborne said this should have gone to the Planning Commission first and feels next time the Planning Commission should be made aware of it. Tom said this was the best option for the future of South Weber and its residents. Commissioner Johnson said he discussed with a council member about acquiring more water for business development. He said down the road when a business comes to the City, the City can tell them water is available. Commissioner Osborne questioned why the City should spend thousands of dollars that just sits there. John Reeve said he serves on the water board in Uintah Highlands and he said you pay for water whether you use it or not. Commissioner Osborne said he doesn’t feel citizens should have to pay for water for future citizens. The Planning Commission discussed their disappointment with not being made aware of this ordinance, especially, since they are an advisory board.

ADJOURNED: 6:30 p.m.