

**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, June 13, 2019** at the **South Weber City Council Chambers, 1600 East South Weber Drive**, commencing at **6:30 p.m.**

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

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**THE AGENDA FOR THE REGULAR MEETING IS AS FOLLOWS\***:

1. Welcome, Pledge of Allegiance—Commissioner Walton
2. Approval of Consent Agenda
  - a. Minutes 2019-05-09, Minutes 2019-05-23
3. Public Hearing and Action on Keith Brumfield Conditional Use Permit at 291 W South Weber Drive, Parcel’s (13-004-0043/13-005-0023) 15.88 Acres.
4. Public Hearing and Action on Zone Change at approx. 1589 E South Weber Drive, 3.67 acres on Parcels (13-030-0003, 13-012-0057, 13-012-0061, 13-012-0074) from C, R-M & A to R-H by Developer Ray Creek LLC
5. Public Hearing and Action on Preliminary Approval on Ray’s Village Subdivision at approx. 1589 South Weber Drive 3.67 acres on Parcels (13-030-0003, 13-012-0057, 13-012-0061, 13-012-0074) by Developer Rob Edwards
6. Action on Development Agreement for The Lofts at Deer Run (Mixed Use) Subdivision at approx..7870 S 2700 E. 3.29 acres on 7 Parcels by Sunset Development.
7. General Plan Review
8. Public Comments – Please keep public comments to 3 minutes or less per person
9. Planning Commissioner Comments (Grubb, Walton, Pitts, Johnson, Osborne)
10. Adjourn

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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 THOSE LISTED ON THE AGENDA ALONG WITH THE FOLLOWING:

City Office Building	www.southwebercity.com	Family Activity Center
Utah Public Notice website ( <a href="http://www.utah.gov/pmn">www.utah.gov/pmn</a> )	South Weber Elementary	Each Member of The Planning Commission



\_\_\_\_\_  
KIMBERLI GUILL, DEVELOPMENT COORDINATOR

DATE: June 6, 2019

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.

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

# **SOUTH WEBER CITY PLANNING COMMISSION WORK MEETING**

**DATE OF MEETING:** 9 May 2019

**TIME COMMENCED:** 6:10 p.m.

**LOCATION:** South Weber City Office at 1600 East South Weber Drive, South Weber, UT

**PRESENT: COMMISSIONERS:**

**Tim Grubb  
Debi Pitts  
Rob Osborne  
Wes Johnson  
Taylor Walton**

**CITY ENGINEER:**

**Brandon Jones**

**CITY PLANNER:**

**Barry Burton**

**DEVELOPMENT COORDINATOR:**

**Kimberli Guill**

**Transcriber:** Minutes transcribed by Michelle Clark

**ATTENDEES:** Blair Halverson

**Approval of Consent Agenda**

- **Minutes 11 April 2019**

**Public Hearing and Action on ORD 19-12: Amending City Code 10-7A-3 and 10-7A-4 Regarding Approval of Conditional Use Permits for Preschools and Day Cares:**

Commissioner Osborne stated because of significant State regulation over preschool and day care facilities, in 2018 the City Council adopted Ordinance 18-06 allowing conditional use permits for in-home preschools and day cares to be issued administratively rather than by the Planning Commission. The Council desires to amend Sections 10-7A-3, 10-7A-4 and 10-5A-3 of the South Weber Code to comply with that position and to make other technical amendments to those sections. Commissioner Pitts asked about the parking and whether or not it is off-street parking. Commissioner Osborne asked about fencing around the backyard. Barry Burton, City Planner, said it is not part of the State requirement. Commissioner Osborne feels a fence should be required. Commissioner Johnson questioned if the type of fence needs to be specified next to agriculture.

**General Plan Review: Review Section 4, Transportation:** The Planning Commission reviewed the projected land use and vehicle transportation web map put together by Brandon Jones, City Engineer. Brandon explained the land use legend, land use changes, and projected land use zones. He reviewed how the commissioners will be able to include comments. Barry said the public hearing comments can be added to this as well.

**ADJOURNED:** 6:30 p.m.

**APPROVED:**

\_\_\_\_\_ Date  
Chairperson: Rob Osborne

\_\_\_\_\_  
Transcriber: Michelle Clark

Attest: \_\_\_\_\_  
Development Coordinator: Kimberli Guill

# SOUTH WEBER CITY PLANNING COMMISSION MEETING

**DATE OF MEETING:** 9 May 2019

**TIME COMMENCED:** 6:32 p.m.

**LOCATION:** South Weber City Office at 1600 East South Weber Drive, South Weber, UT

**PRESENT: COMMISSIONERS:**

Tim Grubb  
Debi Pitts  
Rob Osborne  
Wes Johnson  
Taylor Walton

**CITY PLANNER:**

Barry Burton

**CITY ENGINEER:**

Brandon Jones

**DEVELOPMENT COORDINATOR:**

Kimberli Guill

**Transcriber:** Minutes transcribed by Michelle Clark

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

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**ATTENDEES:** Blair Halverson

**APPROVAL OF CONSENT AGENDA**

- Minutes of 11 April 2019

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

**DECLARATION OF CONFLICT OF INTEREST: (None)**

Commissioner Pitts moved to open the public hearing for Ordinance 19-12. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted aye. The motion carried.

\*\*\*\*\* PUBLIC HEARING \*\*\*\*\*

**Public Hearing and Action on ORD 19-12: Amending City Code 10-7A-3 and 10-7A-4 Regarding Approval of Conditional Use Permits for Preschools and Day Cares:**

Because of significant State regulation over preschool and day care facilities, in 2018 the City Council adopted Ordinance 18-06 allowing conditional use permits for in-home preschools and day cares to be issued administratively rather than by the Planning Commission. The Council desires to amend Sections 10-7A-3, 10-7A-4 and 10-5A-3 of the South Weber Code to comply with that position and to make other technical amendments to those sections.

Commissioner Osborne stated since there is no public, he asked for a motion to close the public hearing.

**Commissioner Johnson moved to close the public hearing for Ordinance 19-12. Commissioner Grubb seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted aye. The motion carried.**

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

**Commissioner Grubb moved to recommend approval of Ordinance 19-12: Amending City Code 10-7A-3 and 10-7A-4 Regarding Approval of Conditional Use Permits for Preschools and Day Cares with the addition of requiring a fenced outdoor use area. Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted aye. The motion carried.**

**General Plan Review: Review Section 4, Transportation:**

Barry Burton, City Planner, asked if there are any questions from the last meeting. Commissioner Walton questioned the emphasis on Weber River corridor. Barry said that is for access and recreational activities. Commissioner Johnson suggested at the beginning of the general plan adding a paragraph discussing South Weber being a gateway to recreational activities. Discussion took place regarding the amendments to commercial zones. Commissioner Osborne doesn't feel the Stephens property should have the asterisk of commercial overlay. Commissioner Pitts asked about the Ray property. Barry explained why the identification of high density residential. He said this property is no longer a fit for commercial development. He then explained that the current city office will not be at this location forever and therefore the property could be a possible location for high density. Discussion took place regarding the city owned property on South Weber Drive. It was stated this property could be a location for a city hall, fire station, etc. Brandon explained the change to the land fill property along the bench from business commerce to commercial recreation. It was decided to add an asterisk to the south bench property to include commercial.

**SECTION 4 TRANSPORTATION**

**South Bench Drive:** Barry asked if South Bench Drive should be identified as a minor arterial road. The Planning Commission agreed it should be a minor arterial road all the way to Highway 84. Brandon suggested a feasibility study on the alignment of South Bench Drive along the hillside to Layton. It was stated this area is affected by vegetation, the canal, operable unit #1, etc.

**Highway 89:** Barry said this section should state that improvements are already funded and under way.

**1900 East:** Barry asked if there is really a hazard. He said we need to mention the future connection to South Bench Drive.

**South Weber Drive:** Barry said UDOT says it will never be widened or have bike lanes. It was stated the general plan should encourage UDOT to widen South Weber Drive for bike lanes.

**6650 South:** It was stated 6650 South is now a dead end but as soon as Old Maple Farms connects to South Weber Drive, the temporary dead end at Silver Oak Lane & 6650 South will be reopened.

**View Drive:** Barry asked are we giving up on the idea that it should be connected to 7800 South. Brandon suggested including the same information for View Drive as is stated for 6650 South.

**TRAILS:** Barry said we should separate trails into a separate section from vehicle transportation.

- **Bonneville Shoreline Trail:** Barry explained that we are currently working to solidify the alignment and contacting property owners.
- **Canal Trail:** Continue to support the possibility which may become a little more feasible with the extension of South Bench Drive through a difficult area for the trail, due to property owner reluctance.
- **Old Fort Trail:** Continue to support its expansion. We now have more in existence, but there is a lot to do. We are meeting soon with UDOT to explore the possibility of extending this trail east to Hwy 89 utilizing the I-84 right-of-way.
- **Weber River Trail:** We have already addressed this somewhat in the open space section, but the importance of this trail needs to be emphasized. Also, we need to express our willingness to cooperate with Weber Pathways, Uintah City and others.

**ADJOURNED:** Commissioner Grubb moved to adjourn the Planning Commission meeting at 8:57 p.m. Commissioner Walton seconded the motion. Commissioners Grubb, Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date  
Chairperson: Rob Osborne

\_\_\_\_\_  
Transcriber: Michelle Clark

\_\_\_\_\_  
Attest: Development Coordinator: Kimberli Guill

# SOUTH WEBER CITY PLANNING COMMISSION WORK MEETING

**DATE OF MEETING:** 23 May 2019

**TIME COMMENCED:** 6:00 p.m.

**LOCATION:** South Weber City Office at 1600 East South Weber Drive, South Weber, UT

**PRESENT: COMMISSIONERS:**

Tim Grubb  
Debi Pitts  
Rob Osborne (excused)  
Wes Johnson  
Taylor Walton

**CITY ENGINEER:**

Brandon Jones (excused)

**CITY PLANNER:**

Barry Burton

**DEVELOPMENT COORDINATOR:**

Kimberli Guill

**Transcriber:** Minutes transcribed by Michelle Clark

**ATTENDEES:** Brent Poll and Blair Halverson

**Approval of Consent Agenda:**

- Minutes of 25 April 2019
- Minutes of 09 May 2019

**Public Hearing and Action on Final Approval for Riverside RV Park Conditional Use: At approx. 852 E Cottonwood Ln. (11.85 acres) parcel 13-018-0021 & 07-109-0017 by FM Winkel Family LLC:** Commissioner Osborne asked if there are any questions concerning the Riverside RV Park Conditional Use. Kimberli Guill, Planning Coordinator, said members of the Uintah Planning Commission have contacted the city and are not in favor of this conditional use permit. Commissioner Grubb asked why the developer isn't responsible to install any improvements for the trail. Commissioner Johnson said Weber Pathways is going to install the trail and maintain it. Barry said the difference is, the city isn't asking Weber Pathways to give the trail to the city. He said Weber Pathways has said they will do it. Commissioner Grubb said it seems like Weber Pathways would take a donation for the trail. He said the developer isn't required to install sidewalk, curb, and gutter; therefore, he feels they should have to help with the cost of the trail. Barry said there is a need for a parking lot at the trailhead. Commissioner Walton discussed his concern with one point of egress. Barry said this is not residential development. It is more like a parking lot. He said the developer does have two permanent structures which will need elevation certificates certifying they are above base flood elevation. He said that is a requirement of the city ordinance.

**Barry Burton, City Planner, memo of 16 May 2019 is as follows:**

**GENERAL INFORMATION:** The Park will consist of 100 sites, 23 of which will be Park Units (tiny homes) that will be rental units with 77 back-in or pull-through spaces. This is well within the number of spaces allowed by the ordinance on an 11.62-acre parcel. There will also be an office building and a restroom/shower building that will be permanent structures. Amenities include a swimming pool and a pickle ball court and, of course, the river trail that will be built by others.

**ORDINANCE COMPLIANCE:** There are several conditions listed in Section 10.7F.1 of the Zoning Ordinance that I believe have all been met. The only site requirement of 10.7F.2 that has not been met is the requirement for a 100' setback for any sites to a road. The sites are considerably less than 100' from the freeway, but there is a provision in the code that allows the Planning Commission to approve something less. In this case, I don't think the freeway will be impacted in any way and there is a large approx. 70' space from the freeway right-of-way fence to the actual closest travel lane. I believe the Planning Commission has reasonable justification to approve a less than 100' setback on the I-84 side.

**OTHER:** The main waterline within the site will need to be City owned and maintained and will therefore require an easement be granted to the City for that purpose. Other utilities within the site will be private. The developers are willing to grant an easement along the river for the purpose of a public trail. The trail, however, be built by Weber Pathways at a later date. Therefore, Weber Pathways will need an easement for public use along the trail alignment. We propose that those easements be surveyed after construction in order to have a more accurate description of the locations and that the easements be provided prior to occupancy.

**STAFF RECOMMENDATION:** I recommend the Planning Commission approve this conditional use/site plan with the reduced setback along the freeway frontage.

**Action on Final Approval for Harvest Park Phase 2 (6 Lots): At approx. 725 E South Bench Drive (2.07 acres) parcel 13-018-0085 by Bruce Nilson, Harvest Park Community LLC:** Barry Burton, City Planner stated this is a 6 lot phase that is different from the original phase 2 as shown on the preliminary plat. The reason for this deviation from the original phasing is because there are a lot of utilities that go through this area to serve Phase 1. Also, with the imminent construction of the abutting part of South Bench Drive this summer, the construction of this small phase will provide the needed second access and allow potential buyers to get there more directly. The lot layout is exactly as approved in the Preliminary Approval. This part of the development is entirely in the R-M zoned portion of the development, therefore no worries about building height. There will be a minimum 6' chain link fence required along the east side of this phase. Discussion took place regarding the open space and who will maintain it.

**Brandon Jones, City Engineer, memo of 16 May 2019 is as follows:**

Our office has completed a review of the Final Plat and Improvement Plans for the Harvest Park Subdivision Phase 2, dated April 30, 2019. We recommend approval subject to the following items being addressed prior to approval from the City Council. Some items are mentioned for information purposes only.

**GENERAL**

1. Final plans need to be submitted to the South Weber Irrigation Company and an approval letter provided indicating that the improvement plans meet their requirements.
2. This phase provides the second ingress/egress for this subdivision, connecting to South Bench Drive. The 30-lot limitation is no longer in affect for the Harvest Park development.
3. A letter from the geotechnical engineer needs to be provided with recommended depths for the basements, due to high groundwater.

**PLAT**

- 4. The subdivision boundary needs to be revised to exclude South Bench Drive, as that property has already been deeded to the City for the road.
- 5. Addresses for the lots are as follows:  
 Lot 201 - 6737 S.                      Lot 202 - 6729 S.                      Lot 203 - 6721 S.  
 Lot 204 - 6713 S.                      Lot 205 - 6726 S.                      Lot 206 - 6734 S.                      Open Space - 6718 S.
- 6. The basement depth table needs to be populated according to the recommendations of the geotechnical engineer.
- 7. The Rocky Mountain Power notes and signature block can be removed, as they do not apply to any of the property within this plat.
- 8. The Open Space is being dedicated to the City, as required with the overall preliminary plan that was approved. We recommend determining the final use of this ground when the adjacent property to the east (currently owned by Watts) develops.

**IMPROVEMENT PLANS**

- 9. The streetlight at the Harvest Park Lane / South Bench Drive intersection needs to be moved to the southeast corner behind the sidewalk pointed out to South Bench Drive.
- 10. A 6’ vinyl fence needs to be shown and called out in the plans along the east property line as shown in the preliminary plans.
- 11. The new land drain laterals to lots 201 – 204 appear to be in conflict with the 30” storm drain.
- 12. The note for the land drain laterals needs to be revised as follows: “Land Drain laterals to be perforated & sleeved with geotechnical sock, *outside the road right-of-way only.*”

**General Plan Review: Revisit Trails & Address Moderate Income Housing:** (No discussion on this item)

**ADJOURNED: 6:30 p.m.**

**APPROVED:**

\_\_\_\_\_ Date  
**Co-Chairperson: Debi Pitts**

\_\_\_\_\_ **Transcriber: Michelle Clark**

**Attest:** \_\_\_\_\_ **Development Coordinator: Kimberli Guill**

# SOUTH WEBER CITY PLANNING COMMISSION MEETING

**DATE OF MEETING:** 23 May 2019

**TIME COMMENCED:** 6:30 p.m.

**LOCATION:** South Weber City Office at 1600 East South Weber Drive, South Weber, UT

**PRESENT: COMMISSIONERS:**

Tim Grubb  
Debi Pitts  
Rob Osborne (excused)  
Wes Johnson  
Taylor Walton

**CITY PLANNER:**

Barry Burton

**CITY ENGINEER:**

Brandon Jones (excused)

**DEVELOPMENT COORDINATOR:**

Kimberli Guill

**Transcriber:** Minutes transcribed by Michelle Clark

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

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**ATTENDEES:** Brent Poll, Jon Arends, Brett Parker, Blair Halverson, Gordon & Robyn Cutler, Mark Staples, Tyler Nielson, Jeff Stuart, and Linda Miner. There were individuals who did not sign in.

**PLEDGE OF ALLEGIANCE:** Commissioner Walton

## **APPROVAL OF CONSENT AGENDA**

- Minutes of 25 April 2019
- Minutes of 09 May 2019

Commissioner Walton moved to approve the consent agenda and table the minutes of 9 May 2019. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Pitts, and Walton voted aye. The motion carried.

**DECLARATION OF CONFLICT OF INTEREST:** (None)

Commissioner Grubb moved to open the public hearing for Final Approval for Riverside RV Park Conditional Use: At approx. 852 E Cottonwood Ln. (11.85 acres) parcel 13-018-

**0021 & 07-109-0017 by FM Winkel Family LLC. Commissioner Walton seconded the motion. Commissioners Grubb, Johnson, Pitts, and Walton voted aye. The motion carried.**

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Public Hearing and Action on Final Approval for Riverside RV Park Conditional Use: At approx. 852 E Cottonwood Ln. (11.85 acres) parcel 13-018-0021 & 07-109-0017 by FM Winkel Family LLC:**

Commissioner Pitts asked if there was any public comment.

**Brett Park, 6465 Combe Road, Uintah:** Mr. Park said he is representing the Uintah City Planning Commission. He stated as a neighboring community, having over 80 Uintah households and hundreds of residents living within 300 feet of the proposed Riverside RV Park, as well as multiple other Uintah households bordering the South Weber River, located at or within the following locations: Cottonwood Estates 975 East 6600 South in Uintah, the elected officials of the City of Uintah are not in favor of a Final Approval for Riverside RV Park Conditional Use at this time. Mr. Park stated a postponement of the permit was delivered to South Weber City requesting an official sit-down meeting to further discuss the following concerns:

Nuisance

- Noise (all hours of the day and night – ATV’s, parties, dogs, kids, fighting, generators etc.)
- Smell (sewer systems and other smells not currently in the area)
- Smoke (from open fires, bbq grills, and automobile exhaust)
- Dust (excessive occupants in the area)

Privacy

- Transient non-residents (crime and invasion of privacy/safety – non vetted occupants entering community)
- Encroachment (occupants entering private party, such as anglers, rafters, teenagers, criminals, etc.)
- Video surveillance (assuming surveillance is installed, resident’s person and property would be monitored)

Environmental

- Fire risk (from cigarettes and campfires)
- Trash (litter blowing around from the canyon winds)
- Natural habitat (the river, landscape, and wildlife)
- Dust (from excessive vehicles and trailers)
- Dumping (hazardous waste and unknowns being exposed into the river)
- Road maintenance (additional road maintenance and damages beyond what Uintah City calculates as “normal use”)

**Brent Poll, 7605 S. 1375 E., and representative of the South Weber Coalition,** said he would like the letter he sent to the city to be attached to the minutes (See Attached). He wants the city to consider the ground contamination in the city. He said the city is responsible to protect the health and welfare of the citizens and future citizens of this city. He said you are putting people at risk. He said this is indisputable. He said there is no excuse. He suggested the Planning

Commission read the information and reports. He said people are going to be a potential responsible party.

**Gordon Cutler, Mayor of Uintah**, said Uintah City has delivered two letters to the city. He said we are concerned about how the RV Park will affect citizens of Uintah. He said there is a lot of activity going on along the Weber River. He said we are not against any type of economic development. He would like the Planning Commission to consider how this will impact Uintah. He said we are worried about traffic on Cottonwood Drive. He said they are also concerned about open pit fires. He said city officials are more than welcome to meet with South Weber City officials. He thanked the Planning Commission for their service.

**Jeff Stuart, Weber Pathways Representative**, said over the twenty years we have been in existence we are actively involved in building trails. He said one of our master plan projects include the trail from Cottonwood Drive in South Weber City to Riverdale City. He said they have been working for fifteen years to acquire land and right of ways to continue the trail to Highway 89 and Uintah Springs Business Park. He said we don't have strong feelings whether or not the RV Park should be approved but would like the plan to include the trail. He said Mayor Sjoblom has been very active and serves on the committee for Weber Pathways.

**Barry Burton, City Planner, memo of 16 May 2019 is as follows:**

**GENERAL INFORMATION:** The Park will consist of 100 sites, 23 of which will be Park Units (tiny homes) that will be rental units with 77 back-in or pull-through spaces. This is well within the number of spaces allowed by the ordinance on an 11.62-acre parcel. There will also be an office building and a restroom/shower building that will be permanent structures. Amenities include a swimming pool and a pickle ball court and, of course, the river trail that will be built by others.

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**OTHER:** The main waterline within the site will need to be City owned and maintained and will therefore require an easement be granted to the City for that purpose. Other utilities within the site will be private. The developers are willing to grant an easement along the river for the purpose of a public trail. The trail, however, be built by Weber Pathways at a later date. Therefore, Weber Pathways will need an easement for public use along the trail alignment. We propose that those easements be surveyed after construction in order to have a more accurate description of the locations and that the easements be provided prior to occupancy.

**STAFF RECOMMENDATION:** I recommend the Planning Commission approve this conditional use/site plan with the reduced setback along the freeway frontage.

**Commissioner Walton moved to close the public hearing for Final Approval for Riverside RV Park Conditional Use: At approx. 852 E Cottonwood Ln. (11.85 acres) parcel 13-018-0021 & 07-109-0017 by FM Winkel Family LLC. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Pitts, and Walton voted aye. The motion carried.**

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

Commissioner Johnson said his mother has lived in the Uintah trailer park over the last 30 years. He understands this is an uncontrolled area. He said there have been paint ball wars, transients, dust, etc. He doesn't see any of this happening with an RV Park. He said it will be a controlled area. He said the brush will be removed to remove fire hazard. He said the RV Park will be monitoring trash and liter. He said dead trees will be removed. He said dumping of hazardous waste has been happening for years, but once again this will be controlled. He has been on the Weber Pathways Committee and said there is a great emphasis to continue that trail. He feels there will be an improvement with the quality of the environment. He has seen RV Parks that have been very well managed. He said there will be full hook ups and power. He doesn't think open fires will be allowed in the park. He feels there will be a vast improvement on this property verses what it currently is. He hasn't seen any flooding in the mobile home park.

Commissioner Walton feels the interface between the two cities will be safeguarded. He asked when the city received the two letters. It was stated the city received the letters yesterday.

**Tyler Nielsen, of Gardener Engineer**, and representing the Winkel family, said the developer sees this project as they will own and maintain it as a family. He said they are quite experienced at running this. He said the owner will look at preserving as many existing trees as he can. He said there has been dumping over the years and they are working to clean it up. He said they have been meeting with South Weber City for six months now. He said during those meetings, Uintah City has been discussed. He said this will be a paved project and there will be no open fires. He sees this project as an effort to clean up the area. He said there will be 24 hour on-site management.

Commissioner Grubb asked about quiet hours. Tyler said he will talk to the owner and get those hours to the city. Commissioner Grubb said the rules should be posted. Tyler said there are no fire pits allowed. Commissioner Grubb said garbage is a big concern. Tyler said there will be at least two dumpsters with one in the middle and one towards the exit. He said there are 6' to 8' tall lights and they will comply with the city ordinance. Barry said it needs to be dark sky compliant. Commissioner Grubb said the patrons need to comply with the dark sky.

**Ruben Menna, developer**, said there are quiet time rules. He said there is one common area for a fire pit, but there will not be a fire pit on every site. He said grills are only in the common area. Tyler said all the dead trees will be removed. Commissioner Johnson suggested contacting Wildlife Resource to identify which ones need to be removed. Ruben said they have hired two individuals to decide on the trees. He said the quiet hours are 10:00 p.m. to 7:00 a.m.

Commissioner Grubb said the Weber Pathway Trail is part of South Weber City's master plan. He stated the plan requires a 10' path. Jeff Stuart said they need a minimum of 10' and would like 12' to 14'. Commissioner Grubb said the pathway needs to be put in along the frontage. He said the developer should be required to install the pathway with road base. It was stated the pathway is along the north side of the RV Park.

Blair Halverson asked if the developer is going to install the trail. Tyler said it was his understanding that they will provide the easement and Weber Pathways will install the pathway and road base. It was stated that Weber Pathways will be required to maintain the trail. Commissioner Johnson said the path needs to be wide enough for a truck.

**Jon Arends, Planning Commission member for Uintah**, said we are not trying to intervene with your decisions, but we are asking for a risk assessment. He asked what will be done with the increased traffic on 6600 South. He asked if Uintah officials can sit down with South Weber officials.

Commissioner Walton said the Planning Commission has discussed several of these items in meetings and he feels they have done their due diligence.

Barry discussed the size of the trail. He feels it is appropriate to have a 15' easement of the trail. Commissioner Grubb wants to make sure the pathway is installed before occupancy. He said the portion that fronts 6600 South needs to be included and completed as part of this on both sides of the entrance.

Commissioner Pitts said the two permanent structures will need elevation certificates. Barry said there has been some discussion, because of the amount of concrete that has been dumped on the property, the developer would like to crush that concrete for the trail. John said they have discussed that. Barry said if you decided to crush it on site, then the developer will need another conditional use permit approval to do that.

**Commissioner Grubb moved to recommend to the City Council the Final Approval for Riverside RV Park Conditional Use: At approx. 852 E Cottonwood Ln. (11.85 acres) parcel 13-018-0021 & 07-109-0017 by FM Winkel Family LLC subject to the following:**

- 1. City Engineer, Brandon Jones, letter of 16 May 2019.**
- 2. City Planner, Barry Burtons, letter of 16 May 2019.**
- 3. 24 hour on site management.**
- 4. Removal of dead trees and shrubs as approved by Wildlife Resource hired Arborist Consultant.**
- 5. No open fires in individual camp sites.**
- 6. Quiet hours 10:00 p.m. to 7:00 a.m.**
- 7. Lighting is to follow quiet hour rule and protect dark sky.**
- 8. A 15' easement for a 10' path minimum be provided to Weber Pathways prior to occupancy and improved for use prior to occupancy thru this property and along the frontage of 6600 South and Cottonwood Drive.**
- 9. RV Park rules must be posted on-site and given to all patrons.**
- 10. Developer provide the elevation certificates for two permanent structures.**
- 11. Provide easement as installed for the culinary water line.**

**Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Pitts, and Walton voted aye. The motion carried.**

Commissioner Johnson would like to be invited to any meetings between South Weber City and Uintah City.

**Action on Final Approval for Harvest Park Phase 2 (6 Lots): At approx. 725 E South Bench Drive (2.07 acres) parcel 13-018-0085 by Bruce Nilson, Harvest Park Community LLC:** Commissioner Grubb asked Mark Staples, of Nilson Homes, if he has seen the two letters

from Barry Burton and Brandon Jones. Mark said he has not. Barry referred to Brandon Jones letter of 16 May 2019 has given addresses and basement depths. Commissioner Grubb asked about the parcel designated as open space. Barry said Brandon feels the final use of this ground can be determined when the adjacent property to the east (currently owned by Watts) develops. Mark Staples suggested designating the open space to be part of Lot 205 but is not buildable.

**Barry Burton, City Planner, memo of 16 May 2019 is as follows:**

**Plat/Layout:** This is a 6 lot phase that is different from the original phase 2 as shown on the preliminary plat. The reason for this deviation from the original phasing is because there are a lot of utilities that go through this area to serve Phase 1. Also, with the imminent construction of the abutting part of South Bench Drive this summer, the construction of this small phase will provide the needed second access and allow potential buyers to get there more directly. The lot layout is exactly as approved in the Preliminary Approval. This part of the development is entirely in the R-M zoned portion of the development, therefore no worries about building height. There will be a minimum 6' chain link fence required along the east side of this phase.

**Recommendation:** The Phase 2 Plat meets the requirements of Preliminary Approval except for the phasing. Since nothing has changed in the approved layout of the entire subdivision, I see no problem with approving this and recommend forwarding this plat to the City Council with a recommendation of approval.

**Brandon Jones, City Engineer, memo of 16 May 2019 is as follows:**

Our office has completed a review of the Final Plat and Improvement Plans for the Harvest Park Subdivision Phase 2, dated April 30, 2019. We recommend approval subject to the following items being addressed prior to approval from the City Council. Some items are mentioned for information purposes only.

**GENERAL**

1. Final plans need to be submitted to the South Weber Irrigation Company and an approval letter provided indicating that the improvement plans meet their requirements.
2. This phase provides the second ingress/egress for this subdivision, connecting to South Bench Drive. The 30-lot limitation is no longer in affect for the Harvest Park development.
3. A letter from the geotechnical engineer needs to be provided with recommended depths for the basements, due to high groundwater.

**PLAT**

4. The subdivision boundary needs to be revised to exclude South Bench Drive, as that property has already been deeded to the City for the road.
5. Addresses for the lots are as follows:  
Lot 201 - 6737 S.                      Lot 202 - 6729 S.                      Lot 203 - 6721 S.  
Lot 204 - 6713 S.                      Lot 205 - 6726 S.                      Lot 206 - 6734 S.                      Open Space - 6718 S.
6. The basement depth table needs to be populated according to the recommendations of the geotechnical engineer.
7. The Rocky Mountain Power notes and signature block can be removed, as they do not apply to any of the property within this plat.
8. The Open Space is being dedicated to the City, as required with the overall preliminary plan that was approved. We recommend determining the final use of this ground when the adjacent property to the east (currently owned by Watts) develops.

**IMPROVEMENT PLANS**

9. The streetlight at the Harvest Park Lane / South Bench Drive intersection needs to be moved to the southeast corner behind the sidewalk pointed out to South Bench Drive.
10. A 6' vinyl fence needs to be shown and called out in the plans along the east property line as shown in the preliminary plans.
11. The new land drain laterals to lots 201 – 204 appear to be in conflict with the 30" storm drain.
12. The note for the land drain laterals needs to be revised as follows: "Land Drain laterals to be perforated & sleeved with geotechnical sock, *outside the road right-of-way only.*"

**Commissioner Grubb moved to recommend to the City Council the approval of Final Approval for Harvest Park Phase 2 (6 Lots): At approx. 725 E South Bench Drive (2.07 acres) parcel 13-018-0085 by Bruce Nilson, Harvest Park Community LLC subject to the following:**

- 1. City Engineer, Brandon Jones, letter 16 May 2019.**
- 2. City Planner, Barry Burtons, letter of 16 May 2019.**
- 3. Amend Lot 205 boundary to include open space and show the restricted area on the final plat for Lot 205.**

**Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Pitts, and Walton voted aye. The motion carried.**

**General Plan Review: Revisit Trails & Address Moderate Income Housing:**

Barry Burton, City Planner, said Mayor Sjoblom, David Larson (City Manager), Brandon Jones (City Engineer), and he met with UDOT's Region 1 Director. He said they discussed bike lanes on South Weber Drive. Barry discussed considering ways to extend the Old Fort Trail eastward to the fisherman's access along the south side of Highway 84. Barry said we want to show bike lanes along the entire length of South Weber Drive. He said he would like to separate trails and bikeways into an Active Transportation Section. Commissioner Walton said the development agreement for Staker Parsons will expire in five years. He questioned if the master plan needs to include a trail thru the gravel pit.

**Moderate Income Housing:**

Barry reviewed his memo of 20 May 2019. He stated South Weber City is already doing the following items:

- (A) Rezone for densities necessary to assure the production of moderate-income housing.
- (B) Facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate-income housing.
- (F) Allow for higher density or moderate-income residential development in commercial and mixed-use zones, commercial centers, or employment centers.
- (G) Encourage higher density or moderate-income residential development near major transit investment corridors.
- (U) Apply for or partner with an entity that applies for programs administered by a metropolitan planning organization or other transportation agency that provide technical planning assistance.

He said the Legislature is tying funding taking positive actions to improve the chances of development of moderate-income housing or retention of moderate income housing to the city. He discussed item E (Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones). He discussed mother-in-law apartments and if there is a need to include them in the master plan. Commissioner Grubb suggested opening it up to more residential zones.

**OTHER BUSINESS:**

**Property on 2100 East & South Weber Drive:** Commissioner Johnson discussed the possibility of a city office located on this property.

**Public Input Communication:** Barry said we need to focus on how to get public input for the master plan.

**ADJOURNED:** Commissioner Grubb moved to adjourn the Planning Commission meeting at 8:35 p.m. Commissioner Walton seconded the motion. Commissioners Grubb, Johnson, Pitts, and Walton voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date  
Co-Chairperson: Debi Pitts

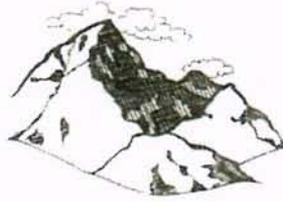
\_\_\_\_\_  
Transcriber: Michelle Clark

\_\_\_\_\_  
Attest: Development Coordinator: Kimberli Guill

# South Weber Coalition

Executive Director  
Brent Poll

Technical Advisor  
Dr. John Carver



21 May 2019

Planning Commission  
City of South Weber  
1600 E. South Weber Drive

Subject: 23 May 2019 Public Hearing  
City Planning Commission

Dear Planning Commission,

Please include the following items as one input for the public hearings scheduled to be conducted at the subject hearings regarding new developments in the western portion of our City:

- (1) HAFB instructions for use of its website to access pertinent records concerning its Superfund Sites (OUs 1, 2 and 4) which have polluted our valley.
- (2) An example prepared for tax appeal hearings, regarding our family properties, which shows the reliable use of this particular website (in combination with simple research through Google). Those research tools collectively provide CERCLA laws, HAFB/EPA/UDEQ Superfund decisions with background materials, pertinent Federal Court decisions, and a host of other related formal documents which directly identify the pollution threatening our valley.
- (3) A copy of a 10 May 2019 email to Barry Burton. It concludes that the official records from the Base's website are proof that the plume maps, contained in the City's current and prior General Plans, have always been much smaller and invalid/inaccurate than those formally endorsed by HAFB/EPA /UDEQ. The narratives in our General Plan are often also contradicted by those official records..

Let me know if you have questions about this submission for the subject hearings.

Raid  
by: Shellee Cook  
5/22/19

Brent Poll  
  
Executive Director

#1

Reply Delete Junk Block ...

RE: Website for HAFB Superfund Documents

- ⓘ S/MIME isn't supported in this view. To view this message in a new window, click here
- ⓘ You forwarded this message on Mon 4/29/2019 5:07 PM

F FISHER, BARBARA F GS-12 USAF AFMC 75 AB  
 W/PA <barbara.fisher.1@us.af.mil>  
 Mon 4/22/2019 10:56 AM  
 You

Reply Reply All Forward ...

Using Air Force Administrtive...  
 220 KB

Agenda Hill RAB 4-25-19 Mtg...  
 50 KB

2 attachments (270 KB) Download all Save all to OneDrive

Brent,

Here is a link to the Air Force Administrative Record website: <http://afcec.publicadmin-record.us.af.mil/Search.aspx>

All of Hill AFB cleanup documents should be on the site, including the last Five-Year Review. I'm also attaching a PDF of instructions for using this site. This is the same information I've sent you a couple times before. I don't know of any newer information.

Below (and also attached) is the agenda for Thursday's RAB meeting.

Barbara Fisher  
 75th Air Base Wing Public Affairs  
 Hill Air Force Base, Utah  
 (801) 775-3652  
[barbara.fisher.1@us.af.mil](mailto:barbara.fisher.1@us.af.mil)

Hill AFB  
 Restoration Advisory Board Meeting  
 6:30 p.m., April 25, 2019  
 Sunset City Building (Sunset Room)  
 200 West 1300 North  
 Sunset, Utah

**RAB Meeting Agenda**

6:30	Welcome	Darrin Wray, RAB Air Force Co-Chair
	RAB Business	Tim Sueltenfuss, RAB Facilitator
	Action Items	



# ***New Administrative Record***

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- **Transitioning to web based repository**
  - <http://afcec.publicadmin-record.us.af.mil/>
  - **Contains documents through early 2011**
  - **Working on uploading documents since 2011**
    - **Priority 1 – Decision Documents**
    - **Priority 2 – Documents after July, 2014**
    - **Priority 3 – Documents between 2011 and July, 2014**

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# Login Screen

U.S. AIR FORCE

Version: 1.03

The AFCEC CERCLA Administrative Record Search website provides a means to search and review public documents regarding environmental testing and sampling conducted at Air Force installations in compliance with the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). These documents form the basis for environmental response actions and demonstrate the public's opportunity to participate and comment on the selection of the response action. AFCEC continuously updates the Administrative Record for each installation until the remedy selection documentation is complete.

AFCEC provides integrated engineering and environmental management, execution, and technical services that optimize Air Force and joint capabilities through sustainable installations. AFCEC is the DoD leader in worldwide engineering and environmental services - enabling sustainable Air Force and joint installations to project global air, space, and cyber power.

For consistency and ease of access, documents are stored and presented in standard PDF format. A PDF viewer is required to view the documents. Adobe Reader is available as a free download from Adobe software.

[Continue to site](#)

The Official Web Site of the Air Force Administrative Record

USA.gov Accessibility/Section 508



# Finding Documents, cont.

Version: 1.0.3 [Help](#)

Active Duty  Air National Guard  BRAC

**AF Administrative Record**

**Installation List** **Hill AFB, UT**

Fort Eustis, VA  
 Fort Richardson, AK  
 Fort Sam Houston, TX  
 Fort Yukon AFS, AK  
 Galena AFS, AK  
 Goodwater AFR, AZ  
 Goodfellow AFB, TX  
 Grand Forks AFB, ND  
 Granite Mountain RRS, AK  
 Grissom AFB, IN  
 Gulfport AFRH, MS  
 Hanscom AFB, MA  
 Hill AFB, UT  
 Holloman AFB, NM  
 Homestead AFB, FL  
 Hurlburt Field AFB, FL  
 Indian Mountain LRRS, AK  
 Johnston Atoll BR, HI  
 Kaala AFS, HI  
 Kaena Point STS, HI  
 Kalakaket Creek RRS, AK  
 Keesler AFB, MS  
 King Salmon AFS, AK  
 Kingsley Field AFB, OR  
 Kirtland AFB, NM

Subject or Title  
 Full Metadata Search  
 Full Document Search

Author  
 Recipient

Sites

ROD  
 AOC N-051 UTRR Area of Concern  
 AOC N-052 UTRR Area of Concern  
 AOC XS-208 UTRR Area of Concern  
 AST A00036.1 AST A00036.1  
 AST A00519.0 AST A00519.0  
 AST A00570.1 AST A00570.1  
 AST A00758.1 AST A00758.1  
 AST A00783.0 AST A00783.0  
 AST A00925.1 AST A00925.1  
 AST A01214.1 AST A01214.1

Author Affili  
 Recipient Affili

OUk  
 OU 1 LF001  
 OU 1 LF001  
 OU 3 ST004, WP005  
 OU 5 SS017, SS091  
 OU 5 ST022, OT026  
 OU A Little Mountain  
 OU NR-1 WP025  
 OU1 FT009  
 OU10 SS109  
 OU11 OT097

RODs  
 ROD\_1061 Final Record of Decision  
 ROD\_1119 Record of Decision Oper  
 ROD\_1231 Record of Decision for O  
 ROD\_129 U.S. Air Force Installation  
 ROD\_1297 Record of Decision for ar  
 ROD\_1348 Final Record of Decision  
 ROD\_1398 Decision Document for If  
 ROD\_1412 Building 786 No Further  
 ROD\_1432 Pond 7 Area No Further  
 ROD\_1739 Decision Document for If

Documents After:  Documents Before:

**Records returned: 6**

KB#	View	Subject or Title	Author / Author Affiliation	Document Date	AR#
4 410		FINAL Record of Decision for Operable Unit 12	MWH	09/23/2008	2761
86		Basewide Sampling and UST Monitoring and Maintenance Cost Reimbursable Request # 1 - UST Site 914 2009 Groundwater Elevation and Free Product Monitoring	Anne Parry / CH2M HILL	04/08/2008	3293
2 885		FINAL Remedial Action Report for Post-ROD Activities at Operable Unit 5	MWH	09/30/2007	2554
3 347		Final Record of Decision for Operable Unit 5	MWH Americas, Inc.	07/01/2006	1061
4 642		Final Record of Decision for Operable Unit 8	Environmental Management Directorate, Hill Air Force Base	03/01/2005	1348
1 874		FINAL Record of Decision for Operable Unit 3		09/30/1995	852

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## ***Finding Documents, cont.***

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- **Select “Hill AFB, UT” in the Installation List**
- **Click “Search” to see a list of all documents for Hill AFB**
- **Type key words in “Full Metadata Search” or “Full Document Search”, then click “Search” to find specific documents**
- **Click on the magnifying glass next to the document to open and view**

#2

# Poll Enterprises LLC

Members:

- Glen Poll
- Lynn Poll
- Brent Poll
- Margie P. Mayfield



Managing Members:

- Lynn Poll
- Brent Poll

Diane Law  
Davis County Tax Administration  
P.O. Box 618  
Farmington, Utah 84025

29 April 2019

Subject: Evidence Relating to 2018 Tax Appeal  
Appeal Numbers 18-2128 and 18-2131

Dear Ms. Law,

The vast majority of our evidence, relating to the subject appeals, is within public records. Contact with the State Tax Commission indicated that we are obligated to outline the means for your office to access this information. We will provide you with an email prepared by the HAFB Public Affairs Office which includes a direct link to the copious pertinent records which the Base originated (as the Lead Agency working together with EPA and UDEQ). This link is essential to ready access. I had difficulty mastering it at first, and found that it was unforgiving for even the slightest of clerical errors. However, it is an enormous help and includes everything in computerized form that would fill a room if not so reduced. While the detailed background material is important, our case focuses on the finite conclusions/decisions. This follows numerically (1-6):

1. Most impactful of the documents is the 'Record of Decision for Operable Unit 1.' It was finalized in September 1998 after approval by the United States Environmental Protection Agency (EPA Region VIII), the State of Utah Department of Environmental Quality, and Air Force Material Command Wright-Patterson Air Force Base, Ohio. It contains the following indisputable evidence:

(a) See page 1-1, item 1.0.0.6. This provides the official definition of the "plume associated with the on-Base Source Area disposal sites" as then migrating "approximately 2200 feet north/northeast of the Base property boundary."

This includes every portion of every parcel relating to our appeals before the Utah State Tax Commission. Moreover, the background materials behind this Record of Decision (ROD), document our comprehension of this problem and our efforts/precautions to facilitate genuine remediation.

(b) See pages 6-10 & 6-11, items 6.3.5.2. and 6.3.5.4. Those tables respectively show the projected costs of considered remedial alternatives for both the source and non-source areas. Those range from the least effective/cheapest (SA1/NSA1) remedial alternatives at under \$4 million to the most expensive/most effective alternatives (SA7/NSA6) at about \$306 Million.

(c) See page 7-8, item 7.1.3.3. This shows the ROD selection of a combination of the lower-end remedial alternatives. This was at a projected cost of \$8,214,700. This was less than 3% of the amount acknowledged as being most immediate and most protective of the affected population. Background material, documented in this ROD, showed that we (including our Technical Advisor, Dr. John Carter) predicted that this controversial choice would fail and why failure was inevitable.

(d) See page 7-3, item 7.1.0.9. This shows that part of the above \$8 million plus would be spent to excavate the arsenic on the Poll Enterprises LLC property and "dispose of it off-site at an appropriate disposal facility." Every seep and spring cited here are located on our properties.

(e) See page 7-9, item 7.2.1.1. This shows HAFB/EPA/UDEQ claiming in its 1998 ROD that its selected alternative would prevent "the contamination currently migrating offsite" from continuing to do so. Containment is an absolute EPA prerequisite for Monitored Natural Attenuation (MNA) which the ROD promised would eventually "reduce groundwater contaminants" and "should prevent potable use of the groundwater in the non-source areas." This should happen within as "few and 12 years." If true, then the Operable Unit 1 would have been resolved by 2010. However, it remains unresolved. Excuses/justifications abound. Nevertheless, the 1998 ROD failed to satisfy its commitments. This failure also left those at risk and their properties still seriously compromised. This failure, complete with excuses and renewed dubious promises for improvement, are documented in mandatory Five-year Reviews in 2003, 2008, 2013 and 2018. Those too are available for review through the link provided by HAFB. However, their collective value seems negligible except for projections that real remediation may yet be decades away. We agree except even this prolonged wait is too optimistic. For instance, arsenic and certain other contaminants never 'naturally attenuate' and will remain just as toxic thousands of years from now as they are today.

## (2) Baseline Risk Assessment for Operable Unit 1

(a) Exposure Assessment. Review page 3-1, item 3.1.0.3. This shows that the potential human receptors of the Base's pollution are those "within a one-mile radius of the center of OU1." This was about 600 residents in 1991. This includes "sensitive sub-populations, such as infants, pregnant mothers and elderly people."

(b) Review potential exposure pathways from page 3-2, item 3.2.0.1. This shows that three components must exist for a "complete exposure pathway." Those three are: a contaminant source, a receptor and a route by which the contaminant can migrate from the source to the receptor. Eliminate any of the above three elements and risk can be avoided.

The 1998 ROD attempted to shut off the pollution sources from migrating into the valley. It failed. The sources still leak. Moreover, huge amounts of pollution had already flowed into the valley before the Base even started its remedial efforts. This pollution can lay seemingly harmless for years and then reconstitute itself from a solid to a liquid and/or gaseous form to again threaten valley residents. This is considered a 'cross-media transfer.'

(c) See page 5-16, item 5.3.01. 'Uncertainties.' "The total uncertainty associated with the risk estimate is the combination of the uncertainties associated with the exposure estimates and the uncertainties in the toxicity evaluations."

This bold and unsettling statement of fact may make more sense after studying the more than 100 pages of documentation {see item (d) below} describing the threats that the various contaminants pose for potential human receptors in our valley. Reviewers will often find a total absence of reliable health standards for many of the known toxic elements threatening us. It is widely accepted that those are highly toxic but there are often no proven standards for qualifying or quantifying this condition. Time, since the 1991 Risk Assessment, has not measurably enhanced matters. In fact, some studies suggest greater risks now than seen then. For example, some studies now claim that the presence of multiple contaminants produce a multiplier effect whereby the sum of the individual parts are less than the risks associated with the total contaminant mixture.

The toxicity uncertainties, while definitely troubling, seem less so to most than the vast uncertainties associated with exposure. While it is well-known that human receptors can inhale, absorb, and digest pollution of all types; there are no concrete means yet to measure exactly if, when, where or how it has collectively been inhaled/absorbed/digested and how much this might adversely affect us. This is especially troubling when trying to evaluate the long-term effects of living (as within our largely contaminated valley) where long-term, at least low-dose exposures, are far more than just possible.

This dilemma should be universally unacceptable. Our political leaders caused this with their 'discretionary exception' for military polluters. See *Waverley View Investors vs USA*, 13 January 2015 and 40 CFR Subchapter 300.400 (i)(3). Until Congress reverses its 'discretion,' for military polluters, no one should expect them to spend the money necessary to either remove pollution as now threatening the Base's neighbors; or to compensate/relocate those threatened from areas polluted by the Base.

(d) Review pages A-2 through A-109. Those show risks posed by the numerous chemicals, compounds and toxic heavy metals which comprise the contamination from OU1. The total collectively threatens virtually every aspect of human health.

(3) Supplemental Human Health Risk Assessment for Operable Unit 1 Hillside.

Page ES-2, item ES.0.0.9 Data Evaluation. "Data and information that were not applicable to the Risk Assessment were screened out during the data evaluation. For example, arsenic results from the deep soils were excluded because there are no complete exposure pathways between deep soils and the hypothetical receptors (resident and visitor/trespasser) that were considered in the risk assessment."

"Deep soil" is defined as any beneath 3" or more of cover. The Base knew, before this bogus \$53,000 study, that virtually all the arsenic was already under three or more inches of sediment accumulated between its discovery in the 1980s until the time the Base sought to remove it decades later in conformance with the 1998 ROD. Its contractors contacted me to show them where the arsenic was several feet deep on the surface in the 1980s. Once thus shown, they dug down through the accumulated sediment and found the arsenic at issue. However, the Base still underestimated the volumes of arsenic requiring removal so it soon exceeded its allocated \$1.2 million budget for the project. Rather than finding additional funding for removal as mandated, the Base concocted a story

that the hillside was “too steep” to continue. It then engineered its phony \$53,000 ‘study’ to exclude all arsenic from consideration as noted above. This ended its removal requirements as documented in the 1998 ROD.

This decision by the Air Force made it impossible for us to even dig a post hole on our affected property without subjecting ourselves and possibly others to the arsenic at issue. Therefore, a Freedom of Information Act (FOIA) request was generated to see the proposed study indicating that the hillside was simply too unsafe to continue with the 1998 mandate. The FOIA response was that the Air Force had “no record” of such a study. Without some documentation (studies cost money and work directives so SOME record should have been created), the Base apparently lied instead. The steepness issue was only misdirection to accommodate the bogus study which was then used to avoid the arsenic-related 1998 ROD requirements. A second FOIA was then generated to determine whether the Base had even tried to estimate the amounts and related costs to actually remove all arsenic defined in the 1998 ROD. After years of delay, the Pentagon admitted that it had records of this nature that would be of interest to the affected public. Nevertheless, it elected to withhold it from public view with the excuse that it might needlessly “confuse” those learning of those records. The right to appeal to Federal district court accompanied this decision, but the impact of the subsequent Waverley case convinced our family that the entire arsenic-removal mandate had become effectively moot.

The \$1.2 million the Base spent on its arsenic problem, before dropping it as shown above, reflected only a small fraction of the land area at issue. Although derived by the Pentagon of the Base’s own estimates on this matter, it is fair to project from areas cited in the 1998 ROD that the actual costs for complete removal could have been at least five to ten times higher than the Base’s \$1.2 million grossly incomplete arsenic-removal fiasco.

#### (4) Explanation of Significant Differences for Operable Unit 1

Review table 1 on Page 5

(a) The 1998 ROD required removal and disposal of arsenic. The bogus Supplemental Hillside study noted above excluded arsenic under 3” or more of cover from consideration. Therefore, there was obviously a change in criteria for defining the excavation. The outcome, due to this change, “no additional excavation of spring sediment” was dubiously deemed appropriate.

(b) Non-source area restoration timeframe was estimated in the 1998 ROD at 12 years (ending in 2010). This prediction failed so a new projected restoration was set for some uncertain timeframe but expected to be in the 2040s. This obviously is a much longer timeframe for those threatened to remain at risk. Nevertheless, the Base documented this as increased restoration costs for itself but made no allowances for those living within the area still threatened by its unresolved OU1 plume.

(5) Purpose and function of the National Priority List (NPL). Those are available through Google. Also see 40 CFR 300.425(e).

Readily available guidelines show why listing occurs and how delisting can be achieved. Note that the affected State must concur regarding the delisting of those listed. Moreover, only after “clean-up is

complete” can the affected areas “be made available for public use.” The guidelines are quite self-explanatory.

(6) The liability of landowners of polluted property. This is also readily available on Google.

There is substantial volume of official EPA generated information/guidelines on this topic. A constant is that Federal Environmental law clearly places potential liability on any entity which owns or operates polluted properties. There are some exceptions and ‘precautions’, but our lawyers found nothing to exclude us from being PRPs. Others who could be deemed as possible PRPs (including every single property owner inside the plumes and otherwise threatened areas cited above) should become as well-informed and functional as possible (such as taking ‘precautionary’ actions to preclude others from potential exposures) about this very serious topic.

A prime concern relating to Potential Responsible Parties (PRPs) is that “CERCLA makes passive ignorance a liability.” Likewise, the practice of “don’t-ask-don’t-tell won’t work.” Owners of properties have legal obligations to be forthright with all concerned (including future buyers) about the plumes admittedly allowed to flow through/under/over their properties as documented by HAFB. Lenders and others involved in such ownerships too might be considered PRPs. Being ‘reasonably-well informed’ on this very germane topic is essential when making “fair-market evaluations” of properties known to be polluted by a Superfund site presently on the National Priority List (NPL) as one of the country’s most immediately threatened and thus requiring remediation.

42 U.S. Code Chapter 103 is CERCLA (Federal environmental law). Relevant evidence therein include subsections which define owners, lenders and a broad definition of the what is officially construed as a ‘facility’ (see subsection 9601 (9)(B); and subsection 9607 (a)(1), (b)(3), (e)(1)(2) which directly addresses potential facility-owner liability.

We found no comparable evaluations relating to properties KNOWN/ACKNOWLEDGED to be contaminated by a Superfund site in the State of Utah. Our own decade-old appraisal, prepared as required with our mother’s passing in 2008, remains the only such document. It alone stresses the huge negative impact of owning property polluted to this known degree. Another copy of this will be hand-carried to the County soon, and another presented to the State Tax Commission before the hearing (unless notified that the State needs this earlier).

Please let me know if you have questions about this submission.

Sincerely,  
Brent Poll  
Managing Member  
Poll Enterprises LLC

# 3

Outlook

Search

S ? BP

+ New message

Reply Delete Archive Junk Sweep Move to Cate

Favorites

Deleted Items 578

Inbox 8

Add favorite

Folders

Inbox 8

Junk Email 246

Drafts 319

Sent Items 3

Deleted Items 578

Archive

bill@co.davis.ut.us

Conversation History

New folder

Revisions of the City's General/Master Plan

BP Brent Poll Fri 5/10/2019 10:31 AM

BP Brent Poll Yes. I was remiss in providing the appeal #s. Those are: 18-2... Fri 5/10/2019 10:08 AM

See 3 more messages

BP Brent Poll Thu 5/9/2019 2:20 PM BBurton@southwebercity.com; "Lynn & Kathy"; glenpoll41@gmail.com; jedpoll@

Barry,

This is in response to the flyer on the City's bulletin board at City Hall wherein your email address was provided as the proper place to address concerns and proposals regarding the above subject.

My concern, regarding our primary planning guideline (our General Plan) is the apparent absence of actual, fact-based planning on the most critical factors impacting this document and ultimately the present and future residents in our City. The two most impactful affecting our City and our properties in particular are:

(1) The plume maps and related dialog provided by HAFB which the City has embraced in the General Plan as genuine reflections of the full scope of risks associated with the Base's pollution which is well known to threaten our valley.

The maps used by the City in its current Plan are now and have always been bogus as City planning tools. They contradict the official plume/risk definitions provided (as agreed and documented) by the Air Force, EPA and the Utah Department of Environmental Quality (UDEQ). For example, the official area of risks just for OU1 (by far the largest of three affecting us) is expansive covering approximately 2200 feet north from the Base's northern boundary (read 1998 OU1 ROD Executive Summary for OU1); and the 1991 Risk assessment for OU1 that even more expansively defines risk for this one Operable Unit as within one-mile of the center of OU1 (read the sections relating to risks/exposures in this document). Moreover, the Army Corps of Engineers, operating out of Sacramento, met with a large group of City officials and residents in our elementary school in the mid-1980s. Therein they described, in great detail, the spread of this plume throughout the entire western part of South Weber including the Weber River.

The maps so terribly misused by the City in its previous General Plans are never shown in the formal RODs and Risk Assessments affecting our valley. Those maps, to our knowledge, were always meant only as 'MODELS.' The common purpose of those models, as with most models, was to use them as a smaller version to test a larger hypothesis. This complimented the Base's cheap/passive/ineffectual remedial plan of site containment coupled with monitored natural attenuation. Thereby, the Base could test a finite small but well-tested 'model' to ascertain whether the levels of pollution were diminishing over time with hopefully enough certainty to make reliable projections of such success throughout the full scope of the much larger risk area as actually defined above by HAFB/EPA/UDEQ. Coincidentally, had this model-versus-reality scheme proved successful, OU1 would have been restored to pre-pollution safety by 2010. However, those models proved that the sources still leak and the threats to present and future residents in our our valley will continue for decades at least to come.

Advertisement sidebar listing products like Mares Fin Buckles, Neosport 2mm Me..., ScubaPro Twin Jet, Mares Amara, Sea Elite Surface with prices.

Upgrade to Ad-Free

Upgrade to Office 365 with premium Outlook features

Navigation icons: mail, calendar, search, etc.



Date: May 23, 2019

To: South Weber City

From: Uintah City

Subject: **Public Hearing and Action on Final Approval for Riverside RV Park Conditional Use (2<sup>nd</sup> Notice)**

As a neighboring community, Uintah has over 80 households and hundreds of residents living within 300 feet of the proposed Riverside RV Park, as well as multiple other Uintah households bordering the Weber River.

The elected officials of the City of Uintah are **Not in Favor** of a Final Approval for Riverside RV Park Conditional Use at this time, based on the following list of concerns, which do not fully represent all of the concerns. A requested postponement of the permit was delivered to the City of South Weber, requesting an official sit down meeting to further discuss the below concerns:

#### NUISANCE

- Noise (all hours of the day and night - ATV's, parties, dogs, kids, fighting, generators, etc.)
- Smell (Sewer systems and other smells not currently in the area)
- Smoke (from open fires, bbq grills, and automobile exhaust)
- Dust (Excessive occupants in the area)

#### PRIVACY

- Transient Non-residents (Crime and Invasion of Privacy/Safety – Non Vetted occupants entering community)
- Encroachment (Occupants entering private party, such as anglers, rafters, teenagers, criminals, etc.)
- Video Surveillance (assuming surveillance is installed, residents person and property would be monitored)

#### ENVIRONMENTAL

- Fire Risk (from cigarettes and camp fires)
- Trash (litter blowing around from canyon winds)
- Natural Habitat (the river, landscape, and wildlife)
- Dust (from excessive vehicles and trailers)
- Dumping (Hazardous waste and unknowns being exposed into the river)
- Road Maintenance (Additional road maintenance and damages beyond what Uintah City calculates as "normal use")

The undersigned officials of the City of Uintah support this **Not in Favor** action.

*Gordon Cutler*

Mayor Gordon Cutler

*Michelle Roberts*

Michelle Roberts  
City Council Member

*Kristi Bell*

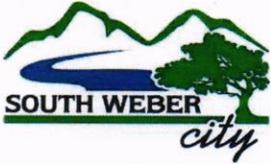
Kristi Bell  
City Council Member

*Jerry Smith*

Jerry Smith  
City Council Member

*FOR: Jon L. Arceneaux*

Robert Guiller  
Planning Commission Chairman



\$700 + Engineering  
\$350 2nd sketch

Keith 1pm

**APPLICATION PROCESS:** Please submit all requested items and answer all questions as completely as possible, omissions may delay processing. If there are any questions, contact the City Office at (801) 479-3177.

June 13<sup>th</sup>  
P.C

- Application with fee (See current City Fee Schedule)
- Site plan, if applicable
- Copy of the recorded plat showing subject property (clearly marked) and all properties within 300 feet (front, back and sides). This information is available at the Davis County Recorder's Office.
- One set of labels with names and mailing addresses of all property owners within 300 feet of the outer boundary of subject property. Including "Or current resident" is recommended. Names are available at Davis County Assessor's Office. Allow 2 days for processing. The Assessor can also provide the labels for an additional fee.
- A list of the above names and addresses.
- A copy of the fire inspection showing approval. Contact the Fire Marshal to schedule an appointment, 801-540-7094.

Chairs confirmed

### Conditional Use Application

CU 19-02

Property Owner: Keith Brumfield Phone: 801-564-4964

Full Mailing Address: 4433 Haven Cr Rd Unit A, West Haven UT 84401

Property Address: 291 W. South Weber Dr, South Weber Email: Keith.Brumfield@san@yahoo.com

Proposed Use: Agricultural Parcel Number(s): 13-004-0043 / 13-005-0023

Total Acres: 15.884 Current Zone: \_\_\_\_\_ If Rezoning, to what zone: \_\_\_\_\_

Bordering Zones: \_\_\_\_\_ Surrounding Land Uses: \_\_\_\_\_

Business Name (if applicable): Event Venue

Anticipated # of Employees: 1 Anticipated # of Customers (Daily): 100 max · Day of use

Available Parking Spaces: 50 Hours of Operation 12 noon - Dark Daylight  
MARKS

# Residential Units (if applicable): n/a #of Dogs (Kennels Only): n/a

Hours of Operation: n/a

South Weber City  
1600 E South Weber Dr  
South Weber UT 84405 801-479-3177  
Receipt No: 17.055246 May 14, 2019

Brumfield, Keith

Previous Balance:	.00
Charges for Services	
Zoning & Subdiv Fees	350.00
10-34-100	
ZONING & SUBDIVISION FEES	

Total:	<u>350.00</u>
--------	---------------

CHECK

Check No: 1103	350.00
Payor:	
Brumfield, Keith	
Total Applied:	<u>350.00</u>

Change Tendered:	<u>.00</u>
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05/14/2019 12:54 PM

**APPLICANT'S AFFIDAVIT**

State of Utah )  
County of Davis )

I, Keith Brumfield, the sole owner or Authorized Agent of the Owner of the property involved in this application, swear the statements and answers contained herein, in the attached plans, and other exhibits, and that the statements and information above referred to are in all respects true and correct to the best of my knowledge and belief.

I do also hereby give permission to South Weber City to place a city "public notice" sign on the property contained in this application for public notification of the conditional use application and to enter the property to conduct any inspections related to this application.

Date 4 MAY 19 Owner or Agent's Signature [Signature]

Subscribed and sworn to before me on 05-06-19

Notary Public [Signature]



If someone will be acting on behalf of the owner, fill out the information below.

**AGENT AUTHORIZATION**

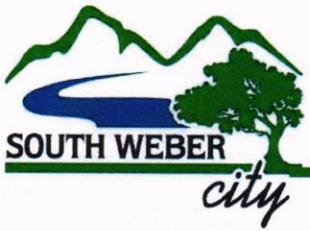
State of Utah )  
County of \_\_\_\_\_ )

I, \_\_\_\_\_, the sole owner(s) of the real property in this application, hereby appoint \_\_\_\_\_ as my agent with regard to this application and authorize said agent to appear on my behalf before any city commission, board or council considering this application.

Date \_\_\_\_\_ Owner's Signature \_\_\_\_\_

Subscribed and sworn to before me on \_\_\_\_\_

Notary Public \_\_\_\_\_



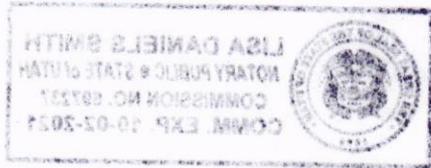
1600 E. South Weber Drive 801-479-3177  
South Weber, UT 84405 www.southwebercity.com FAX 801-479-0066

THE COURT'S ORDER

1/10/19

1/10/19

1/10/19



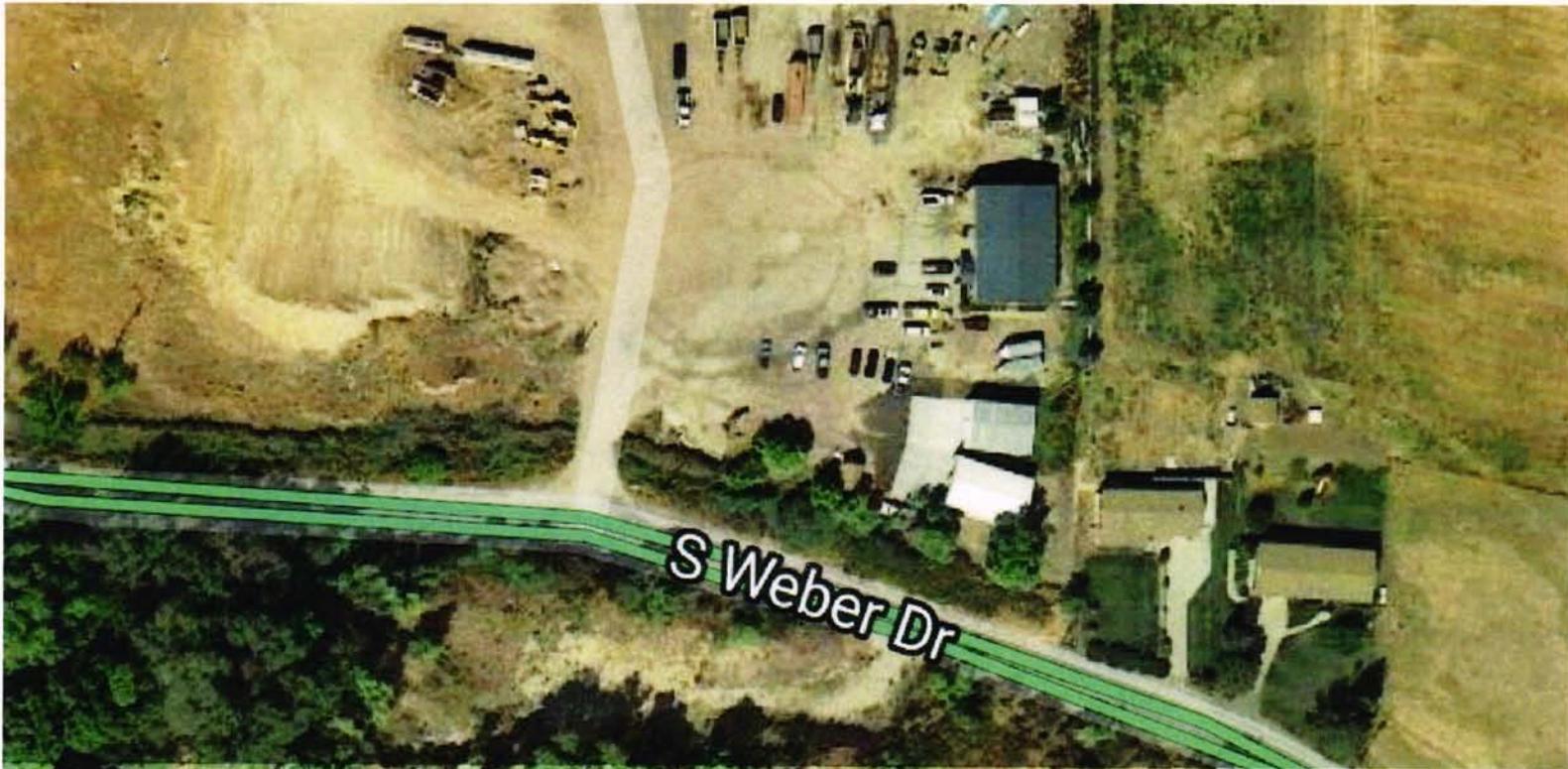


60

S Weber Dr

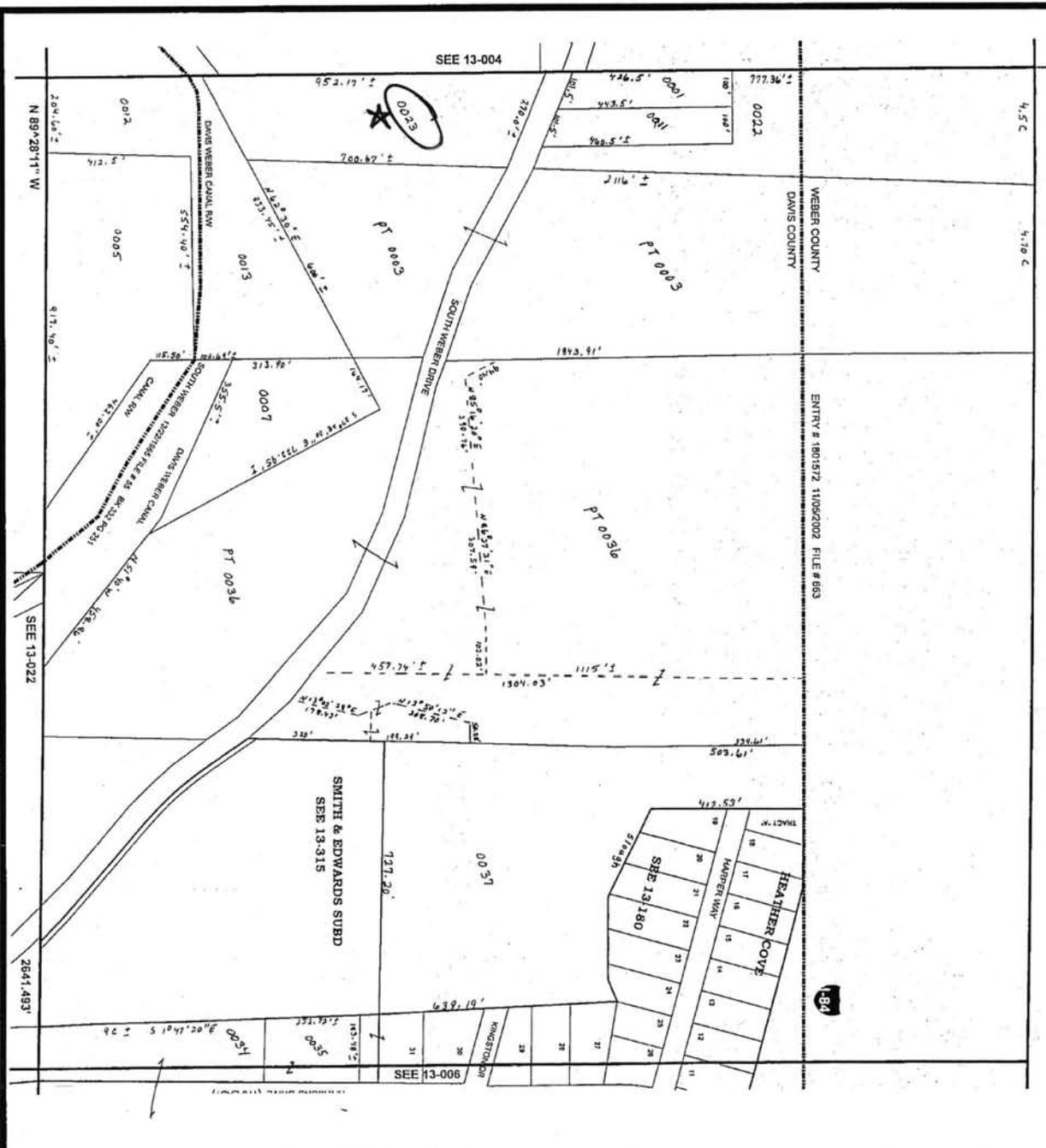


Google



13

005



PTD	OWNER	ACRES	PTD	OWNER	ACRES	PTD	OWNER	ACRES
0001	Dan K. Birt	1.00						
0002	Harry L. Peak - TR 5	14.85						
0003	United States of America	4.29						
0005	United States of America	2.71						
0007	Sam Richard Peak	1.04						
0011	United States of America	1.918						
0012	United States of America	3.75						
0013	Harry L. Peak - TR 5	5.592						
0023	Keith Brownfield	4.45						
0029	T R Ranches, LLC	4.20						
0035	T R Ranches, LLC	1.04						
0036	Larry D. Bay - TR	3.24						
0037	Elite Training Centers, LLC	12.15						

SW 1/4 SECTION 20, T 5N, R 1W, SLB&M  
 DAVIS COUNTY UTAH - RECORDER'S OFFICE

SCALE:  
 1" = 200'



PREFIX  
 13-005  
 LAST #



Owner Name	Mail Address 1	Mail Address 2
UNITED STATES OF AMERICA	125 SOUTH STATE STREET	350 S MAIN STREET
UNITED STATES OF AMERICA	476 UNITED STATES COURTHOUSE	
KAP, LAYNE & JILL	8085 SOUTH JUNIPER COURT	
GIBBY, WAYNE ALAN	3670 WEST 4650 SOUTH	
DAVIS COUNTY CORP	P O BOX 618	
BRUMFIELD, KEITH DALE & DENISE MICHELLE	4433 HAVEN CREEK RD UNIT A	
BRUMFIELD, KEITH DALE & DENISE MICHELLE	4433 HAVEN CREEK RD UNIT A	
UNITED STATES OF AMERICA	STATE CAPITOL	
BIRT, DON K & KAREN P	186 WEST SOUTH WEBER DRIVE	
DAVIS & WEBER COUNTY CANAL	138 WEST 1300 NORTH	
WEBER BASIN WATER CONSERVANCY DISTRICT	2837 EAST HWY 193	
PATTERSON, LOLA J - TRUSTEE	6080 SOUTH WEBER DR	
UNITED STATES OF AMERICA	STATE CAPITOL	
UNITED STATES OF AMERICA	STATE CAPITOL	
MABEY, DAN L & LINDA B - TRUSTEES	1715 NORTH CANYON CIR	
JACOBSON, STANTON S SR - TRUSTEE	327 WEST SOUTH WEBER DR	
BRUMFIELD, KEITH DALE & DENISE MICHELLE	4433 HAVEN CREEK RD UNIT A	
BRUMFIELD, KEITH DALE & DENISE MICHELLE	4433 HAVEN CREEK RD UNIT A	
MABEY, DAN L	1715 NORTH CANYON CIR	
PEEK, HARRY L & WANDA F - TRUSTEES	C/O KAREN P BIRT	186 WEST SOUTH WEBER DR
PEEK, HARRY L & WANDA F - TRUSTEES	C/O KAREN P BIRT	186 WEST SOUTH WEBER DR
UNITED STATES OF AMERICA	STATE CAPITOL	
PEEK, LYNN RICHARD & DEBRA ANN	174 WEST SOUTH WEBER DRIVE	
UNITED STATES OF AMERICA	STATE CAPITOL	
UNITED STATES OF AMERICA	STATE CAPITOL	
PEEK, HARRY L & WANDA F - TRUSTEES	C/O KAREN P BIRT	186 WEST SOUTH WEBER DR
BRUMFIELD, KEITH	4433 HAVEN CREEK RD UNIT A	
USA	STATE CAPITOL	

Mail City	Mail State	Mail Zipcode
SALT LAKE CITY	UT	84111
SALT LAKE CITY	UT	84101
SOUTH WEBER	UT	84405
ROY	UT	84067
FARMINGTON	UT	84025
WEST HAVEN	UT	84401
WEST HAVEN	UT	84401
SALT LAKE CITY	UT	84111
SOUTH WEBER	UT	84405
SUNSET	UT	84015
LAYTON	UT	84040
OGDEN	UT	84405
SALT LAKE CITY	UT	84111
SALT LAKE CITY	UT	84111
FARMINGTON	UT	84025
SOUTH WEBER	UT	84405
WEST HAVEN	UT	84401
WEST HAVEN	UT	84401
FARMINGTON	UT	84025
SOUTH WEBER	UT	84405
SOUTH WEBER	UT	84405
SALT LAKE CITY	UT	84111
SOUTH WEBER	UT	84405
SALT LAKE CITY	UT	84111
SALT LAKE CITY	UT	84111
SOUTH WEBER	UT	84405
WEST HAVEN	UT	84401
SALT LAKE CITY	UT	84111

## **BRUMFIELD WEDDING VENUE CONDITIONAL USE**

By Barry Burton 6.5.19

**APPLICANT:** Keith Brumfield

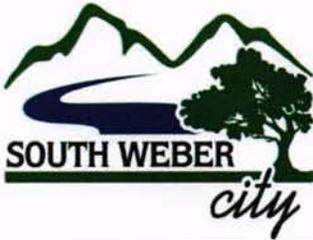
**REQUEST:** Conditional Use approval for a service accessory use in an A zone.

**GENERAL INFORMATION:** Mr. Brumfield operates a 16-acre farm on the west end of town between South Weber Drive and the canal. The area where outdoor weddings would occur is near the canal and quite remote from any residences on South Weber Drive. There is only one existing building on the property; a small shed for storage of farm equipment and supplies. It will not be used for the wedding business. There is, simply, a beautiful outdoor area where the weddings would take place.

Parking will take place on a mown hay field and there is ample space available. The road into the property has been improved to accommodate passenger cars and the intersection of that road with South Weber Drive has been improved to allow sufficient sight distance.

Mr. Brumfield has received a letter from the Davis County Health Department indicating no restroom facilities are required and no permit is required from them. He has a UDOT access permit.

**STAFF RECOMMENDATION:** I recommend the Planning Commission approve this conditional use permit with no additional conditions.



1600 E. South Weber Drive  
South Weber, UT 84405

www.southwebercity.com

801-479-3177  
FAX 801-479-0066

**FOR OFFICE USE ONLY**

Fee paid \$ 300 Receipt 13.083992 Date 5/30/19

Recommended by Planning Commission on: \_\_\_\_\_

Approved by City Council on: \_\_\_\_\_

### ZONE CHANGE APPLICATION

Approx. Location: 1589 ~~1601~~ SOUTH WEBER DRIVE

Parcel Number(s): 13-036-0003 13-012-0057  
13-012-0061 13-012-0074 Total Acres: 3.67

Request: \_\_\_\_\_ Acres changed from \_\_\_\_\_ Zone to \_\_\_\_\_ Zone

\_\_\_\_\_ Acres changed from \_\_\_\_\_ Zone to \_\_\_\_\_ Zone

All to RH or Residential High Density changed from Commercial Residential Agriculture

Legal Description: (attach if too large) See "Rays Village"

Preliminary plot of the Submitted Preliminary Plans, Page 2 of 7

Proposed Use: 39 Town Homes See Preliminary Construction Plans

How does this use support the City's General Plan? It is Zoned part RH & surrounding property is RH and we hope to utilize open space

**Applicant**

Name: Ray Creek LLC Rays Village

Company: Ray Creek LLC

Address: 11148 Champion MN 55316

City/State/Zip: ZEALAND AVE N.

Phone: 6125187629

Email: Kodya.Halker@lawoffices.com

**Property Owner, if not Applicant**

Name: Multiple Owners

Company: Including Ray Creek

Address: Ivan Ray Shirlee Ray

City/State/Zip: Luxam Ray Trust

Phone: 227 Suite B 25th St

Email: Garden UT 84403

Rob.edwards@gmail.com

Total Applied:  
1,200.00

Change Tendered:  
.00

=====

05/30/2019 4:40 PM  
South Weber City  
1600 E South Weber Dr  
South Weber UT 84405  
801-479-3177

Receipt No: 13.083992  
May 30, 2019

Rays Village Preliminary

Previous Balance:  
.00

Charges for Services  
Zoning & Subdiv Fees  
900.00

10-34-100  
ZONING & SUBDIVISION FEES

-----  
Total:  
900.00

=====

Rays Village Zone Change

Previous Balance:  
.00

Charges for Services  
Zoning & Subdiv Fees  
300.00

10-34-100  
ZONING & SUBDIVISION FEES

-----  
Total:  
300.00

=====

CHECK

Check No: 1351  
1,200.00

Payor:  
Wilcoxon Enterprises LLC

Total Applied:  
1,200.00

**Development Signs:**

Please note that a building permit is required for all temporary subdivision signs. Signs cannot obstruct clear and free vision and must comply with all City Codes. Failure to comply will result in sign removal.

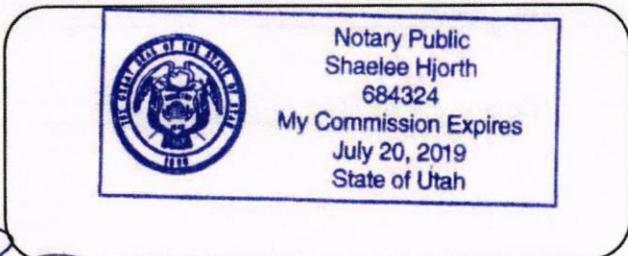
**Applicant Certification**

I 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 also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application and to appear on my/our behalf before any city commission, board or council considering this application. Should any of the information or representations submitted be incorrect or untrue, I understand that The City of South Weber may rescind any approval or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the South Weber City Land Development Code (SWMC 11) and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I agree to pay all fees associated with this project, as set by the current adopted Consolidated Fee Schedule as well as **any fees associated with any City Consultant (i.e. engineer, attorney)**. The applicant shall also be responsible for all collection fees incurred including a collection fee of up to 40% (pursuant to the provisions of the Utah Code Ann. §12-1-11). I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Applicant's Signature: Rob Edwards Date: 4/09/19

State of Utah, County of Davis  
Subscribed and sworn to before me on this 9 day of April, 2019  
By [Signature]

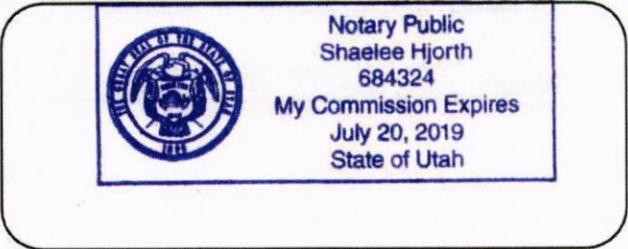
Notary [Signature]



Property Owner's Signature: [Signature] Seal  
Date: 4-9-2019

State of Utah, County of Davis  
Subscribed and sworn to before me on this 9 day of April, 2019  
By IVAN T. RAY

Notary [Signature]



Seal

**Development Signs:**

Please note that a building permit is required for all temporary subdivision signs. Signs cannot obstruct clear and free vision and must comply with all City Codes. Failure to comply will result in sign removal.

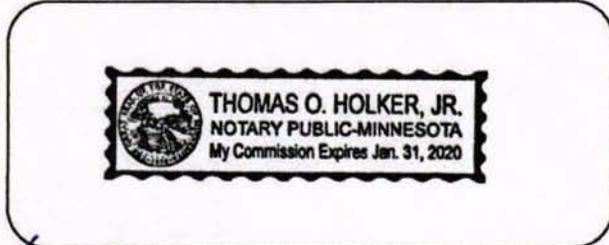
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Applicant's Signature: [Signature] Date: 4-10-2019

State of <sup>Minnesota</sup> ~~Utah~~, County of <sup>Davis</sup> ~~Davis~~ Hennepin  
Subscribed and sworn to before me on this 10th day of April, 2019  
By Kody B. Holker

Notary Thomas O. Holker, Jr.

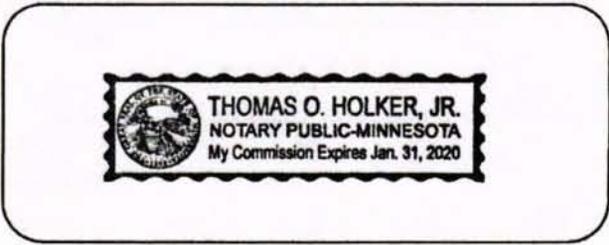


Parent ID # 13030003

Property Owner's Signature: [Signature] Seal Date: 4-10-2019

State of <sup>Minnesota</sup> ~~Utah~~, County of <sup>Davis</sup> ~~Davis~~ Hennepin  
Subscribed and sworn to before me on this 10th day of April, 2019  
By Kody B. Holker

Notary Thomas O. Holker, Jr.



Seal

SOUTH WEBER CITY, UTAH MUNICIPAL BUILDING AUTHORITY  
CLARK, BEVERLY A & MICHAEL L--TRUSTEES  
MIKESSELL, RYAN R & CANDACE S  
SCHENCK, JED A & MELANIE M  
SCHENCK, JED A & MELANIE M  
SCHENCK, GARY L & HELEN C  
REDFORD, KIRK & BRITTANY  
HALL, MATTHEW W & JACLYN K  
HELLER, KENNETH V & SUSAN L  
RICH, CADEN & ERIN  
JUST, JESSE A  
WILLIAMS, TRAVIS A & HOLLY S  
SPRINGER, KRISTOPHER B & JENNIFER  
HOSKING, KENNETH W & ROLAYNE  
STRICKLAND, PAUL JOSEPH  
ASSOCIATION OF UNIT OWNERS OF BATEMAN ESTATES PUD  
ASSOCIATION OF UNIT OWNERS OF BATEMAN ESTATES PUD  
ASSOCIATION OF UNIT OWNERS OF BATEMAN ESTATES PUD  
KERSTEN, PETER & LYNNETTE  
FLOREK, ALEX & HEIDI  
MIYA, NICOLE C  
HOSFORD, RACHEL NICOLE  
MARINO, REBECCA  
COSBY, TINA R & MEGAN K  
MAASS, TERESA  
ASHAUER, ALLISON  
HASSELL, JASON  
NIEDERHAUSER, DALLIN JEFFREY  
RASMUSSEN, MICHELLE  
CARTER, SHIENA N  
PHILLIPS, KAREN K  
LINTON, ALEXIS MIKELLE  
BYRAM, CAITLYN MELISSA  
VANDEHEI, MARK A & DAVID & SUSAN S  
HOLMES, JARED AND GEORGE, EMILY  
ASSOCIATION OF LOT OWNERS OF SANDALWOOD COVE PUD  
BROWN, WILLIAM & JANESSA  
PROCTER, MARVIN & JUDY  
KAP, CASEY B & AMANDA L  
FORBES, ZACHARY GEORGE & ELAINE O  
MORGAN, SHANE & NINA  
GLISMANN, CAROLYN L  
REISBECK, RHETT & REBECCA

ATTENTION: GINGER  
1676 EAST 7600 SOUTH  
1671 EAST SOUTH WEBER DR  
1643 EAST SOUTH WEBER DR  
1643 EAST SOUTH WEBER DR  
1685 EAST SOUTH WEBER DRIVE  
1635 EAST BATEMAN WAY  
1643 EAST BATEMAN WAY  
1647 EAST BATEMAN WAY  
1651 EAST BATEMAN WAY  
1650 EAST BATEMAN WAY  
1646 EAST BATEMAN WAY  
1640 EAST BATEMAN WAY  
1630 EAST BATEMAN WAY  
1620 EAST BATEMAN WAY  
887 NORTH MCCORMICK WAY  
887 NORTH MCCORMICK WAY  
887 NORTH MCCORMICK WAY  
7449 SOUTH SANDALWOOD DR  
7447 SOUTH SANDALWOOD DR  
1591 EAST SANDALWOOD DR  
1587 EAST SANDALWOOD DR  
1585 EAST SANDALWOOD DR  
1583 EAST SANDALWOOD DR  
1581 EAST SANDALWOOD DR  
1577 EAST SANDALWOOD DR  
1575 EAST SANDALWOOD DR  
1573 EAST SANDALWOOD DR  
1565 EAST SANDALWOOD DR  
1563 EAST SANDALWOOD DR  
PO BOX 233  
1559 EAST SANDALWOOD DR  
7440 SOUTH 1550 EAST  
7438 SOUTH 1550 EAST  
7436 SOUTH 1550 EAST  
887 NORTH MCCORMICK WAY #1  
7437 SOUTH 1550 EAST  
7438 SOUTH 1500 EAST  
7426 SOUTH 1500 EAST  
1502 EAST 7425 SOUTH  
1568 EAST SOUTH WEBER DR  
(GLISMANN, VERGIL F)  
230 NORTH MAIN ST

1600 EAST SOUTH

1590 EAST SOUTH

WEI SOUTH WEBER	UT	84405
SOUTH WEBER	UT	84405
SOUTH WEBER	UT	84405
SOUTH WEBER	UT	84405
SOUTH WEBER	UT	84405
SOUTH WEBER	UT	84405-9611
SOUTH WEBER	UT	84405
LAYTON	UT	84041
LAYTON	UT	84041
LAYTON	UT	84041
SOUTH WEBER	UT	84405
STILLMORE	GA	30464-0233
SOUTH WEBER	UT	84405
LAYTON	UT	84041
SOUTH WEBER	UT	84405
WEI SOUTH WEBER	UT	84405
LAYTON	UT	84041-2204

ownername  
AMH 2015-2 BORROWER LLC  
ASSOCIATION OF UNIT OWNERS OF BATEMAN ESTATES PUD  
ASSOCIATION OF LOT OWNERS OF SANDALWOOD COVE PUD  
THURMAN, ADAM & MORGAN  
ARJANA, WILLEM  
PULIDO, CONNIE R  
AVRANTINIS, FOTI  
PITT, SHAUNA  
EVERETT, LESLIE  
NANCE, JOHN M  
BRADSHAW, CHRIS  
MAAKESTAD, PATRICIA A  
PLUIM, CAROL ANN - TRUSTEE  
WESTBROEK, SCOTT LEE & DEBRA S  
RAY, LOU ANN - TRUSTEE  
SOUTH WEBER CITY  
REESE, MARK & TAYLOR E  
HENNEFER, JACKSON R & JILL  
DAYTON, HELEN - TRUSTEE  
DAYTON, HELEN - TRUSTEE  
SOUTH WEBER TOWN  
SOUTH WEBER CITY  
SMITH, RICKY J  
KING, MICHAEL J III  
BECKSTEAD, CAROL AND JENSEN, KARLA - TRUSTEES  
WEBER BASIN WATER CONSERVANCY DISTRICT  
NEILSON, HAL & VICKI L  
SOUTH WEBER CITY  
SOUTH WEBER CITY CORP  
SMITH, RICKY J & MI-A  
RAY, IVAN J & SHIRLEY - ETAL  
RAY, IVAN J & SHIRLEY - ETAL  
RAY, LOU ANN  
COOPER, JASON & COURTNEY  
COOPER, JASON & COURTNEY  
WANGSGARD, JACOB & BRANDI  
STANGER, JERRY L - TRUSTEE  
CHRISTENSEN, CARYL L & WILLIAM S  
WEST, KARRJ & JACALYN J - TRUSTEES  
NAMAZI, HASSAN  
TOPHAM, APRIL A  
SCHENK, TERESA  
J&L PROPERTIES OF MOUNTAIN GREEN LLC  
RAY CREEK LLC  
BAMBROUGH, ASHLEE W AND KIM, CHRISTINA  
BRYAN, LESTER M & NORMA M - TRUSTEES

mailadd1  
ATTN: TAX DEPT  
887 NORTH MCCORMICK WAY  
887 NORTH MCCORMICK WAY #1  
7481 SOUTH SANDALWOOD DR  
7479 SOUTH SANDALWOOD DR  
7477 SOUTH SANDALWOOD DR  
7473 SOUTH SANDALWOOD DR  
7471 SOUTH SANDALWOOD DR  
7469 SOUTH SANDALWOOD DR  
7467 SOUTH SANDALWOOD DR  
7453 SOUTH SANDALWOOD DR  
7451 SOUTH SANDALWOOD DR  
1514 EAST SOUTH WEBER DR  
1503 EAST SOUTH WEBER DRIVE  
2484 EAST 8200 SOUTH  
1600 EAST SOUTH WEBER DRIVE  
1519 EAST SOUTH WEBER DR  
7389 SOUTH 1550 EAST  
1532 EAST SOUTH WEBER DRIVE  
1532 EAST SOUTH WEBER DRIVE  
1600 EAST SOUTH WEBER DRIVE  
1600 EAST SOUTH WEER DRIVE  
7320 SOUTH 1550 EAST  
7340 SOUTH 1600 EAST  
1630 EAST SOUTH WEBER DR  
2837 EAST HWY 193  
(ALBERTS, VICKI)  
7355 SOUTH 1375 EAST  
1600 EAST SOUTH WEBER DRIVE  
7320 SOUTH 1550 EAST  
7268 SOUTH 1600 EAST  
7268 SOUTH 1600 EAST  
7268 SOUTH 1600 EAST  
7325 SOUTH 1550 EAST  
7325 SOUTH 1550 EAST  
1646 EAST 7325 SOUTH  
1661 EAST 7325 SOUTH  
7343 SOUTH 1700 EAST  
7359 SOUTH 1700 EAST  
2053 EAST SOUTH WEBER DR  
1650 EAST SOUTH WEBER DR  
1640 EAST SOUTH WEBER DR  
4317 DAISY DR  
11148 ZEALAND AVE N  
1691 EAST SOUTH WEBER DR  
1717 EAST SOUTH WEBER DR

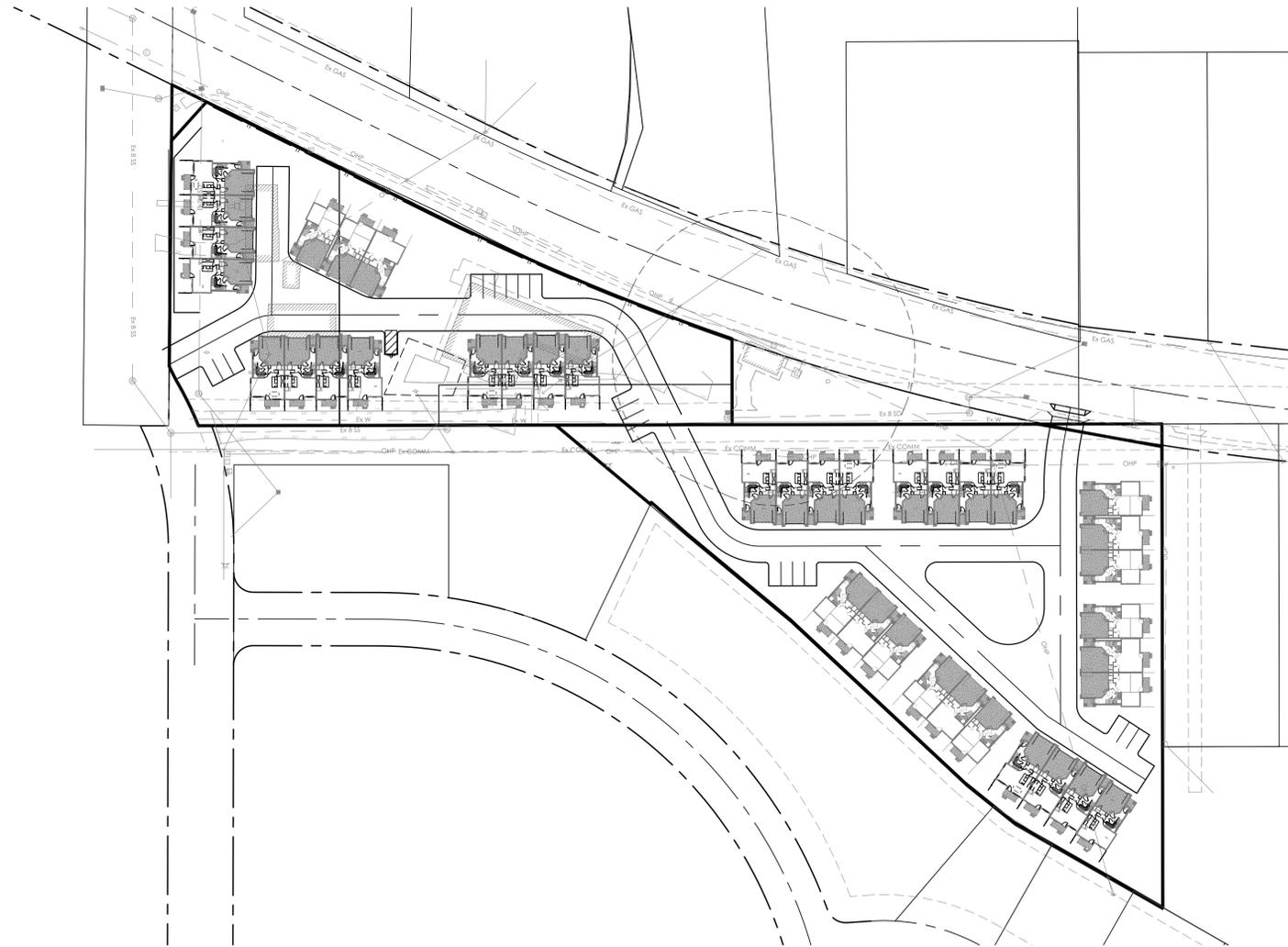
mailadd2 mailad  
30601 AGOURA R

7310 SOUTH 1600

d3	mailcity	mailstate	mailzipcod
D	STI AGOURA HILLS	CA	91301
	LAYTON	UT	84041
	LAYTON	UT	84041
	SOUTH WEBER	UT	84405
	SOUTH WEBER	UT	84405
	SOUTH WEBER	UT	84405
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	SOUTH WEBER	UT	84405
	SOUTH WEBER	UT	84405
	SOUTH WEBER	UT	84405
	MOUNTAIN GREEN	UT	84050
	CHAMPLIN	MN	55316
	SOUTH WEBER	UT	84405
	SOUTH WEBER	UT	84405

# RAY'S VILLAGE

PREPARED FOR:  
The WE Team  
LOCATED IN:  
SOUTH WEBER CITY, UTAH



SITE MAP

Sheet List Table	
Sheet Number	Sheet Title
C1	COVER
C2	PRELIMINARY PLAT
C3	Site Plan
C4	Grading and Drainage Plan
C4.1	Grading and Drainage Plan
C5	Sewer Plan
C6	Water Plan

## GENERAL NOTES

CONTRACTOR TO FIELD VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.

ANY AND ALL DISCREPANCIES IN THESE PLANS ARE TO BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OF CONSTRUCTION.

ALL CONSTRUCTION SHALL ADHERE TO WEBER CITY STANDARD PLANS AND SPECIFICATIONS.

ALL UTILITIES AND ROAD IMPROVEMENTS SHOWN ON THE PLANS SHALL BE CONSTRUCTED USING REFERENCE TO SURVEY INSTRUMENT STAKES PLACED UNDER THE SUPERVISION OF A PROFESSIONAL LICENSED SURVEYOR WITH A CURRENT LICENSE ISSUED BY THE STATE OF UTAH. ANY IMPROVEMENTS INSTALLED BY ANY OTHER METHOD OR HORIZONTAL REFERENCE WILL NOT BE ACCEPTED OR RECORDED BY THE ENGINEER OF RECORD.

THIS DRAWING SET IS SCALED TO BE PRINTED ON A 24" X 36" SIZE OF PAPER (ARCH. D). IF PRINTED ON A SMALLER PAPER SIZE, THE DRAWING WILL NOT BE TO SCALE AND SHOULD NOT BE USED TO SCALE MEASUREMENTS FROM THE PAPER DRAWING. ALSO USE CAUTION, AS THERE MAY BE TEXT OR DETAILS THAT MAY BE OVERLOOKED DUE TO THE SMALL SIZE OF THE DRAWING.

## NOTICE

BEFORE PROCEEDING WITH THIS WORK, THE CONTRACTOR SHALL CAREFULLY CHECK AND VERIFY ALL CONDITIONS, QUANTITIES, DIMENSIONS, AND GRADE ELEVATIONS, AND SHALL REPORT ALL DISCREPANCIES TO THE ENGINEER.

## ENGINEER'S NOTES TO CONTRACTOR

1. THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS, TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS. IF UTILITY LINES ARE ENCOUNTERED DURING CONSTRUCTION THAT ARE NOT IDENTIFIED BY THESE PLANS, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.

2. CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE CITY, THE OWNER, AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.

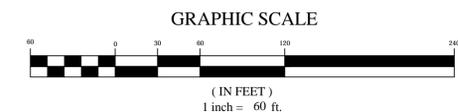
3. UNAUTHORIZED CHANGES & USES: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.

4. ALL CONTOUR LINES SHOWN ON THE PLANS ARE AN INTERPRETATION BY CAD SOFTWARE OF FIELD SURVEY WORK PERFORMED BY A LICENSED SURVEYOR. DUE TO THE POTENTIAL DIFFERENCES IN INTERPRETATION OF CONTOURS BY VARIOUS TYPES OF GRADING SOFTWARE BY OTHER ENGINEERS OR CONTRACTORS, FOCUS DOES NOT GUARANTEE OR WARRANT THE ACCURACY OF SUCH LINEWORK. FOR THIS REASON, FOCUS WILL NOT PROVIDE ANY GRADING CONTOURS IN CAD FOR ANY TYPE OF USE BY THE CONTRACTOR. SPOT ELEVATIONS AND PROFILE ELEVATIONS SHOWN IN THE DESIGN DRAWINGS GOVERN ALL DESIGN INFORMATION ILLUSTRATED ON THE APPROVED CONSTRUCTION SET. CONSTRUCTION EXPERTISE AND JUDGMENT BY THE CONTRACTOR IS ANTICIPATED BY THE ENGINEER TO COMPLETE BUILD-OUT OF THE INTENDED IMPROVEMENTS.

## CONTACTS

**ENGINEER & SURVEYOR**  
FOCUS ENGINEERING & SURVEYING, LLC  
32 WEST CENTER STREET  
MIDVALE, UTAH 84047  
(801) 352-0075  
PROJECT MANAGER: ERIC WINTERS  
SURVEY MANAGER: SPENCER LLEWELYN

**OWNER/DEVELOPER**  
THE WE TEAM  
227 25TH ST., SUITE B  
OGDEN, UTAH 84401  
(801) 558-4740  
CONTACT: ROB EDWARDS

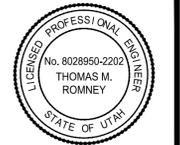


(PRELIMINARY PLAT - NOT TO BE RECORDED)

RAY'S VILLAGE  
SOUTH WEBER CITY, UTAH  
COVER

REVISION BLOCK		DESCRIPTION
#	DATE	
1		
2		
3		
4		
5		
6		

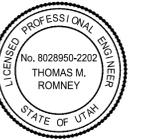
COVER	
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Date: 5/30/19	Job #: 19-0034
Sheet: C1	



# RAY'S VILLAGE PRELIMINARY PLAT

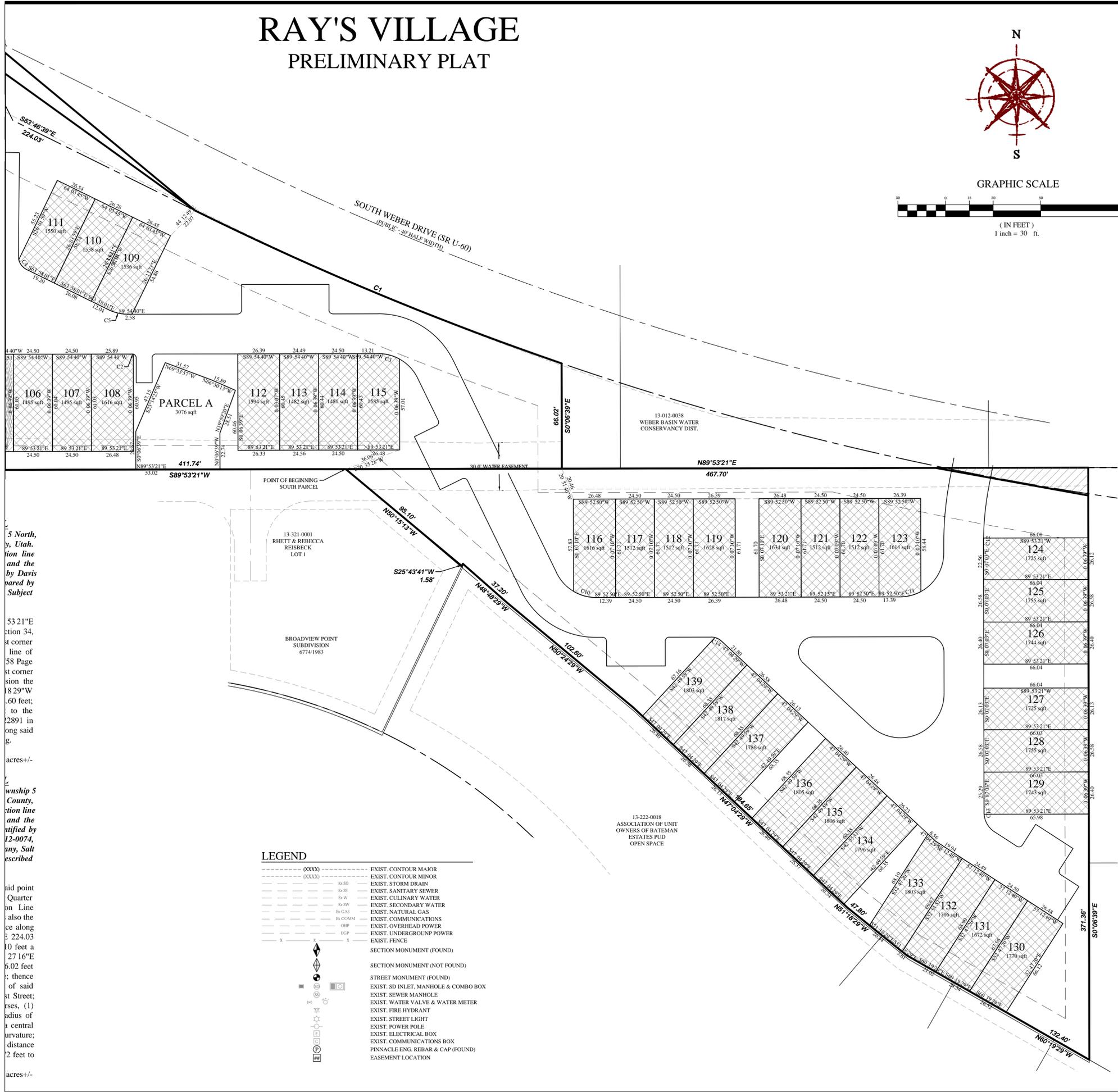


GRAPHIC SCALE  
(IN FEET)  
1 inch = 30 ft.



**(PRELIMINARY PLAT - NOT TO BE RECORDED)**

## RAY'S VILLAGE SOUTH WEBER CITY, UTAH PRELIMINARY PLAT



5 North,  
 y, Utah  
 tion line  
 and the  
 by Davis  
 pared by  
 Subject  
  
 53.21°E  
 tion 34,  
 st corner  
 line of  
 58 Page  
 st corner  
 sion the  
 18.29°W  
 .60 feet;  
 to the  
 22891 in  
 ong said  
 g.  
  
 acres +/-  
  
 wnsHIP 5  
 County,  
 tion line  
 and the  
 12-0074,  
 my, Salt  
 escribed  
  
 aid point  
 Quarter  
 on Line  
 also the  
 ce along  
 E 224.03  
 10 feet a  
 27.16°E  
 5.02 feet  
 ; thence  
 of said  
 st Street;  
 rses, (1)  
 adius of  
 a central  
 urvature;  
 distance  
 2 feet to  
  
 acres +/-

**LEGEND**

----- (XXXX)	EXIST. CONTOUR MAJOR
----- (XXXX)	EXIST. CONTOUR MINOR
----- (XXXX)	EXIST. STORM DRAIN
----- (XXXX)	EXIST. SANITARY SEWER
----- (XXXX)	EXIST. CULINARY WATER
----- (XXXX)	EXIST. SECONDARY WATER
----- (XXXX)	EXIST. NATURAL GAS
----- (XXXX)	EXIST. COMMUNICATIONS
----- (XXXX)	EXIST. OVERHEAD POWER
----- (XXXX)	EXIST. UNDERGROUND POWER
----- (XXXX)	EXIST. FENCE
----- (XXXX)	SECTION MONUMENT (FOUND)
----- (XXXX)	SECTION MONUMENT (NOT FOUND)
----- (XXXX)	STREET MONUMENT (FOUND)
----- (XXXX)	EXIST. SD INLET, MANHOLE & COMBO BOX
----- (XXXX)	EXIST. SEWER MANHOLE
----- (XXXX)	EXIST. WATER VALVE & WATER METER
----- (XXXX)	EXIST. FIRE HYDRANT
----- (XXXX)	EXIST. STREET LIGHT
----- (XXXX)	EXIST. POWER POLE
----- (XXXX)	EXIST. ELECTRICAL BOX
----- (XXXX)	EXIST. COMMUNICATIONS BOX
----- (XXXX)	PINNACLE ENG. REBAR & CAP (FOUND)
----- (XXXX)	EASEMENT LOCATION

**REVISION BLOCK**

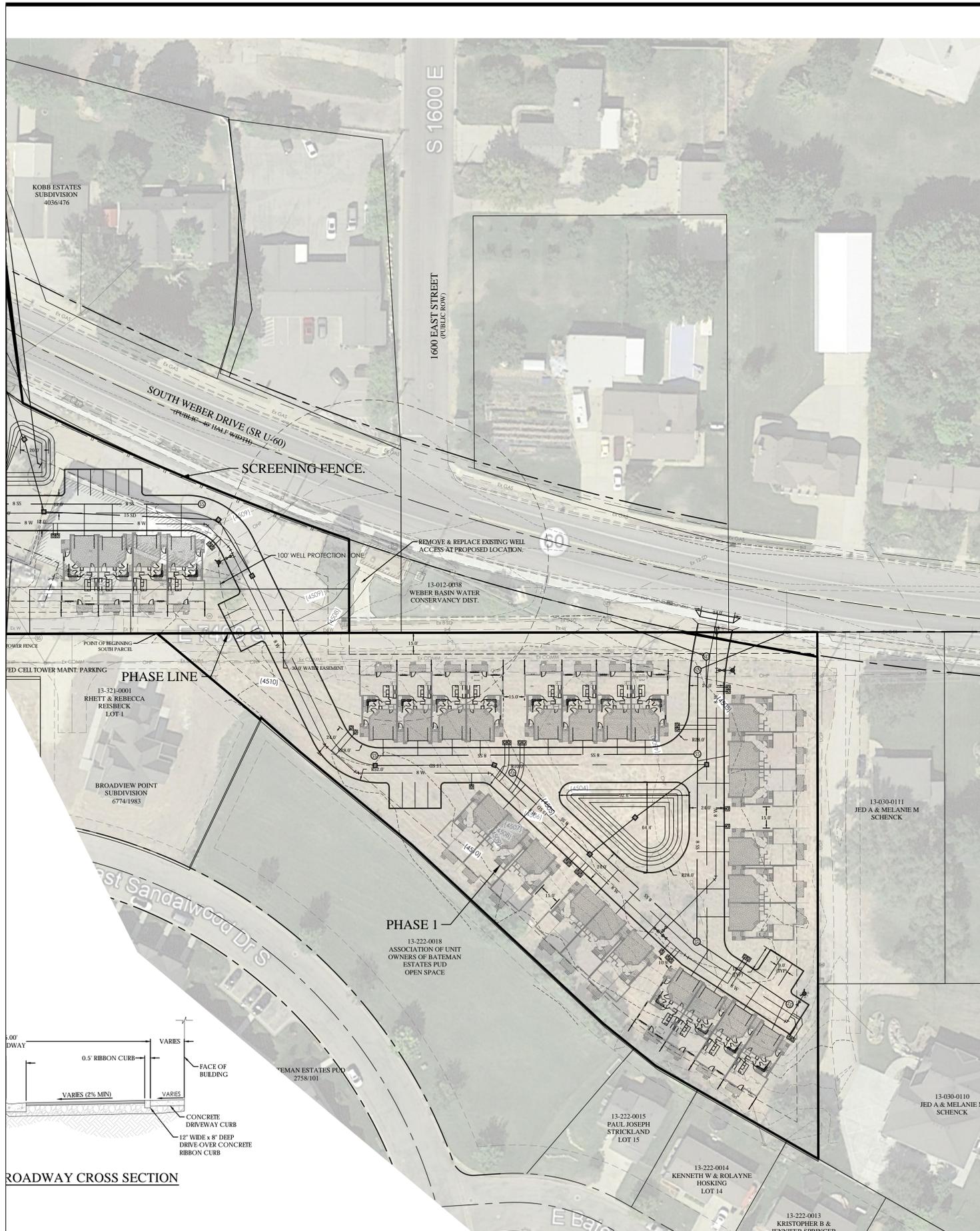
#	DATE	DESCRIPTION
1		
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3		
4		
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6		

**PRELIMINARY PLAT**

Scale: 1"=40'      Drawn: SGA  
 Date: 5/30/19      Job #: 19-0034  
 Sheet:

**C2**

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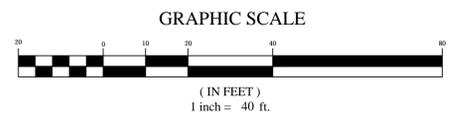


**LEGEND**

---	BOUNDARY
---	ROW
---	CENTERLINE
---	LOT LINE
---	EASEMENT
15 SD	15" STORM DRAIN
8 SS	8" SANITARY SEWER
8 W	8" CULINARY WATER
8 SW	8" SECONDARY WATER
XXXX	CONTOUR MAJOR
XXXX	CONTOUR MINOR
---	EXIST. STORM DRAIN
---	EXIST. SANITARY SEWER
---	EXIST. CULINARY WATER
---	EXIST. FENCE
---	EXIST. CONTOUR MAJOR
---	EXIST. CONTOUR MINOR
+	SIGN
+	STREET LIGHT
+	SD MH, INLET, AND COMBO
+	SEWER MANHOLE
+	VALVE, TEE & BEND
+	WATER BLOW-OFF
+	FIRE HYDRANT
+	STREET MONUMENT (TO BE SET)
+	EXIST. STREET MONUMENT
+	EXIST. SD INLET & MH
+	EXIST. SEWER MH
+	EXIST. VALVE, TEE, & BEND
+	EXIST. FIRE HYDRANT
o XXXXX	SPOT ELEVATION

**SITE NARRATIVE RESIDENTIAL**

LOCATED IN:	SOUTH WEBER, DAVIS COUNTY
ORIGINAL PROPERTY:	3.67 ACRES
TOTAL UNIT COUNT:	39
DENSITY:	10.6 U TS/ACRE
PARKING PROVIDED:	98 TOTAL
GARAGE:	78
OPEN:	20
HARDSCAPE AREA:	37,784 SQ.FT.
BUILDING AREA:	52,500 SQ.FT.
OPEN SPACE AREA:	69,581 SQ.FT.



**(PRELIMINARY PLAT - NOT TO BE RECORDED)**

**RAY'S VILLAGE**  
SOUTH WEBER CITY, UTAH

**Site Plan**

REVISION BLOCK	
#	DESCRIPTION

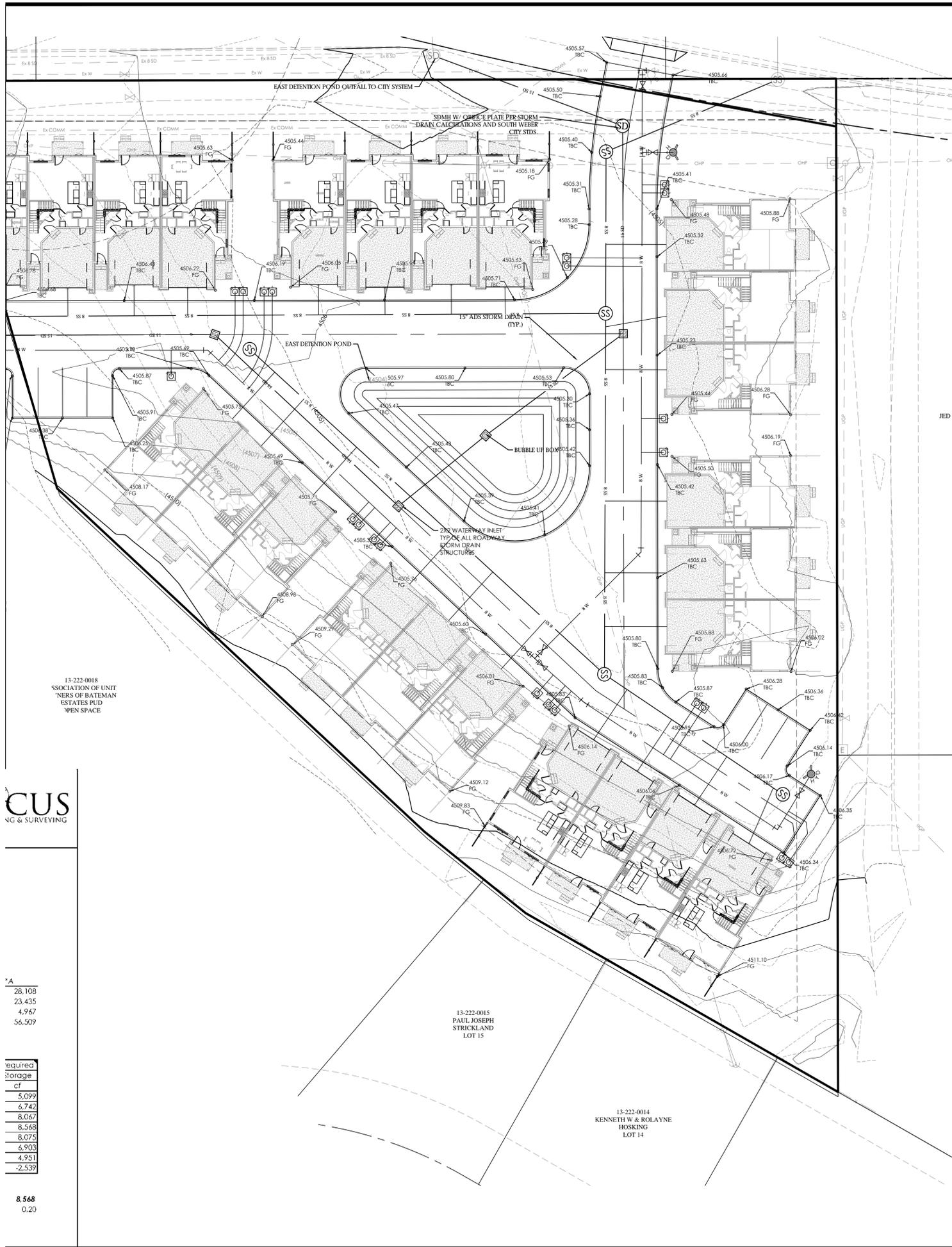
<b>SITE PLAN</b>	
Scale: 1"=40'	Drawn: SGA
Date: 5/30/19	Job #: 19-0034
Sheet:	<b>C3</b>

**FOCUS**  
ENGINEERING AND SURVEYING, LLC  
32 WEST CENTER STREET  
MIDVALE, UTAH 84047 PH: (801) 552-0075  
www.focusid.com



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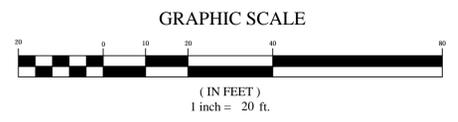




**LEGEND**

---	BOUNDARY
---	ROW
---	CENTERLINE
---	LOT LINE
---	EASEMENT
15 SD	15" STORM DRAIN
8 SS	8" SANITARY SEWER
8 CW	8" CULINARY WATER
8 SW	8" SECONDARY WATER
XXXX	CONTOUR MAJOR
XXXX	CONTOUR MINOR
---	EXIST. STORM DRAIN
---	EXIST. SANITARY SEWER
---	EXIST. CULINARY WATER
X X X	EXIST. FENCE
XXXX	EXIST. CONTOUR MAJOR
XXXX	EXIST. CONTOUR MINOR
+	SIGN
+	STREET LIGHT
+	SD MH, INLET, AND COMBO
+	SEWER MANHOLE
+	VALVE, TEE & BEND
+	WATER BLOW-OFF
+	FIRE HYDRANT
+	STREET MONUMENT (TO BE SET)
+	EXIST. STREET MONUMENT
+	EXIST. SD INLET & MH
+	EXIST. SEWER MH
+	EXIST. VALVE, TEE, & BEND
+	EXIST. FIRE HYDRANT
+	SPOT ELEVATION

- NOTES:
1. ALL PRIVATE ROADS ARE DESIGNED TO BE A REVERSE CROWN WITH A 3' WATERWAY ALIGNED WITH THE CENTERLINE.



**CUS**  
ENGINEERING AND SURVEYING, LLC

\*A

28.108
23.435
4.967
56.509

Required Storage

cf
5,099
6,742
8,067
8,568
8,075
6,903
4,951
-2,539

8,568  
0.20

**(PRELIMINARY PLAN - NOT TO BE RECORDED)**

**RAY'S VILLAGE**  
SOUTH WEBER CITY, UTAH  
**Grading and Drainage Plan**

REVISION BLOCK

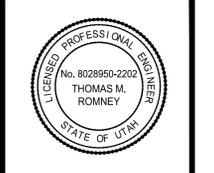
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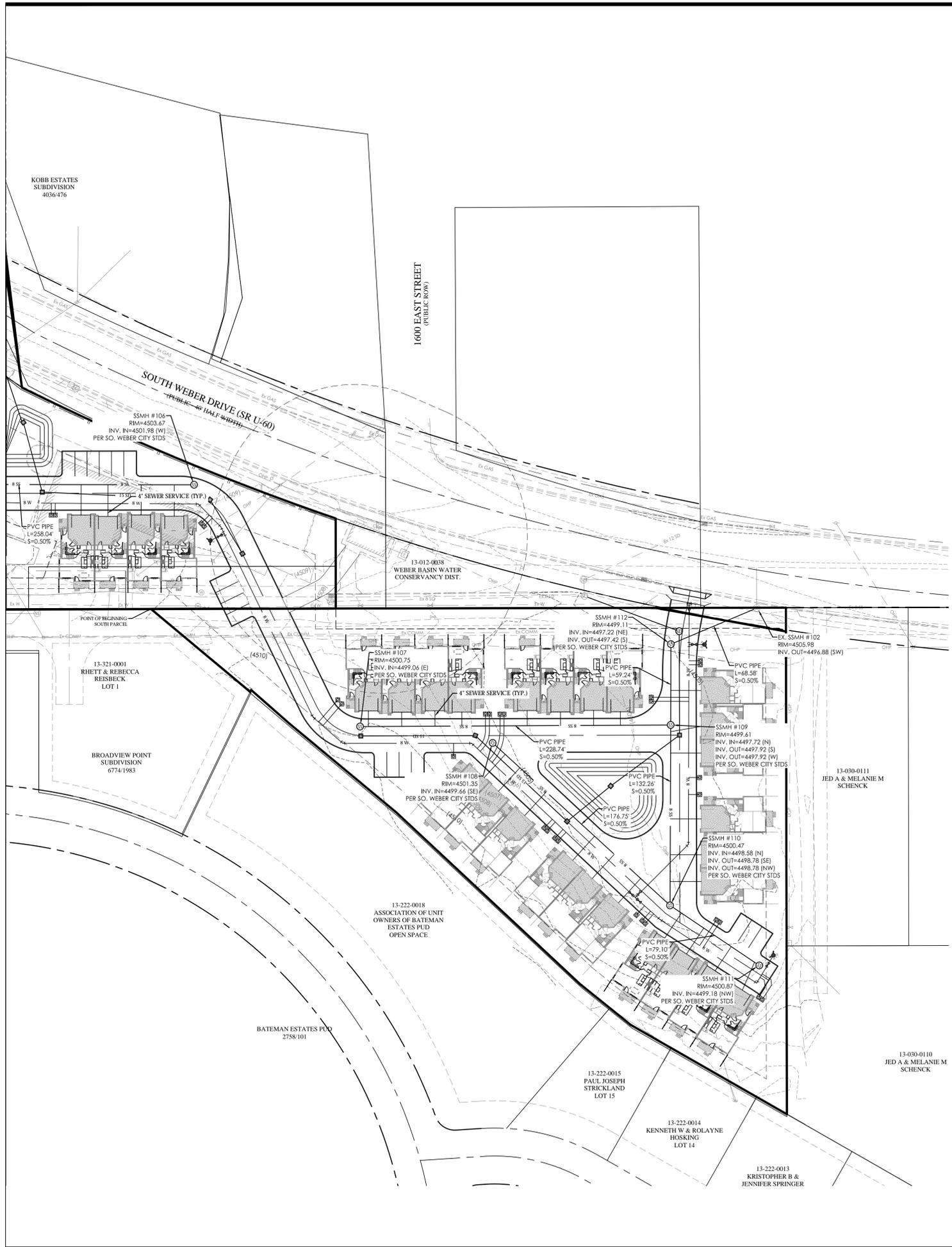
**GRADING AND DRAINAGE PLAN**

Scale: 1"=40' Drawn: SGA  
Date: 5/30/19 Job #: 19-0034  
Sheet:

**C4.1**

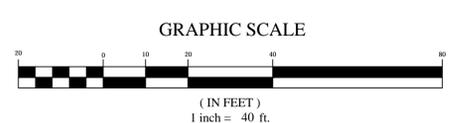
**FOCUS**  
ENGINEERING AND SURVEYING, LLC  
MIDVALE, UTAH 84047 PH: (801) 552-0075  
www.focusllc.com





**LEGEND**

---	BOUNDARY
---	ROW
---	CENTERLINE
---	LOT LINE
---	EASEMENT
---	15 SD
---	8 SS
---	8 W
---	8 SW
---	8" SANITARY SEWER
---	8" CULINARY WATER
---	8" SECONDARY WATER
---	CONTOUR MAJOR
---	CONTOUR MINOR
---	EXIST. STORM DRAIN
---	EXIST. SANITARY SEWER
---	EXIST. CULINARY WATER
---	EXIST. FENCE
---	EXIST. CONTOUR MAJOR
---	EXIST. CONTOUR MINOR
---	SIGN
---	STREET LIGHT
---	SD MH, INLET, AND COMBO
---	SEWER MANHOLE
---	VALVE, TEE & BEND
---	WATER BLOW-OFF
---	FIRE HYDRANT
---	STREET MONUMENT (TO BE SET)
---	EXIST. STREET MONUMENT
---	EXIST. SD INLET & MH
---	EXIST. SEWER MH
---	EXIST. VALVE, TEE, & BEND
---	EXIST. FIRE HYDRANT
---	SPOT ELEVATION



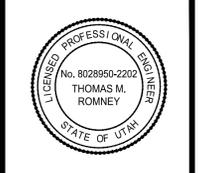
**(PRELIMINARY PLAT - NOT TO BE RECORDED)**

**RAY'S VILLAGE**  
SOUTH WEBER CITY, UTAH  
Sewer Plan

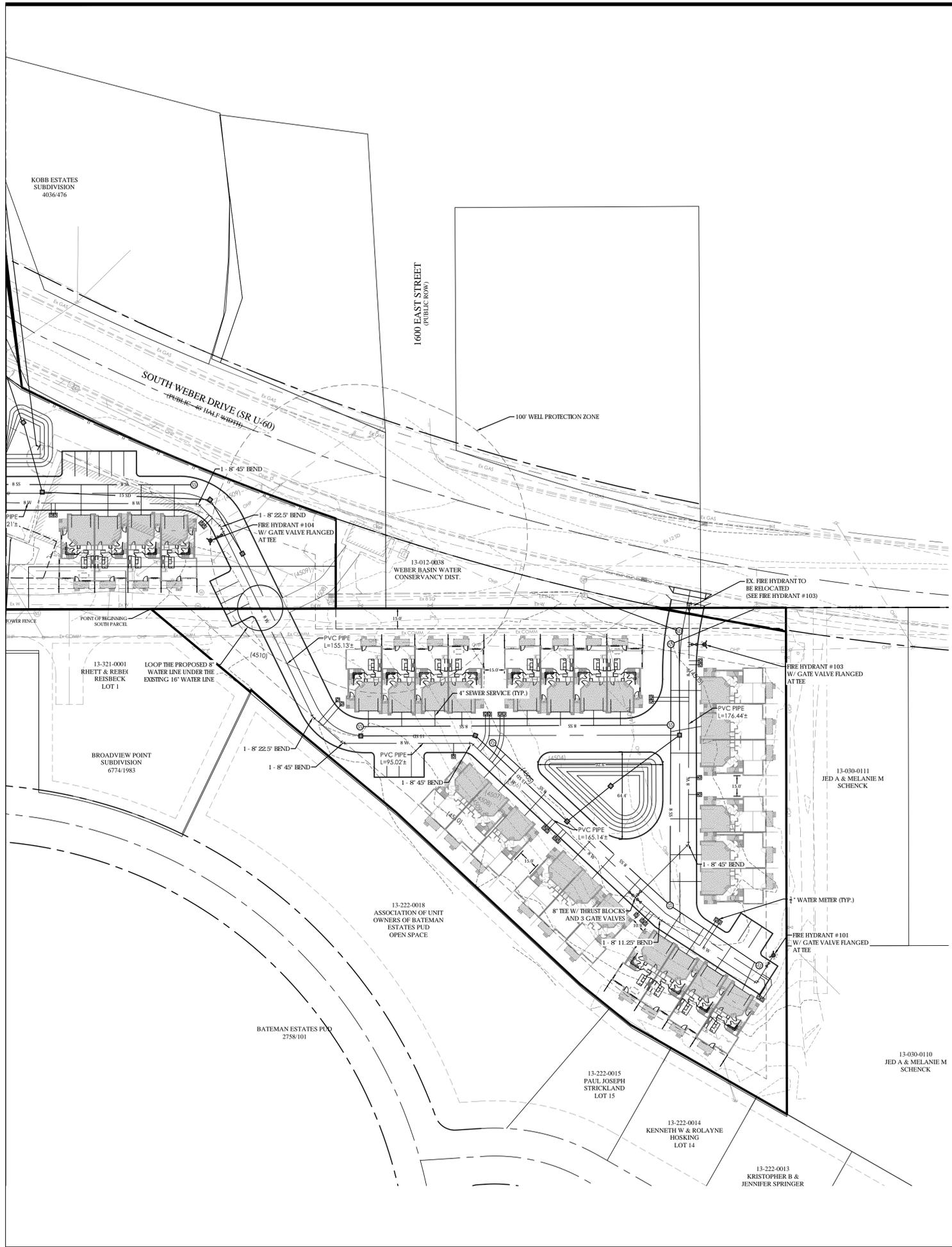
REVISION BLOCK	
#	DESCRIPTION

<b>SEWER PLAN</b>	
Scale: 1"=40'	Drawn: SGA
Date: 5/30/19	Job #: 19-0034
Sheet:	<b>C5</b>

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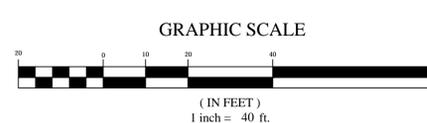


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**LEGEND**

---	BOUNDARY
---	ROW
---	CENTERLINE
---	LOT LINE
---	EASEMENT
15 SD	15" STORM DRAIN
8 SS	8" SANITARY SEWER
8 W	8" CULINARY WATER
8 SW	8" SECONDARY WATER
XXXX	CONTOUR MAJOR
XXXX	CONTOUR MINOR
---	EXIST. STORM DRAIN
---	EXIST. SANITARY SEWER
---	EXIST. CULINARY WATER
X X	EXIST. FENCE
XXXX	EXIST. CONTOUR MAJOR
XXXX	EXIST. CONTOUR MINOR
+	SIGN
⊙	STREET LIGHT
⊙	SD MH, INLET, AND COMBO
⊙	SEWER MANHOLE
⊙	VALVE, TEE & BEND
⊙	WATER BLOW-OFF
⊙	FIRE HYDRANT
⊙	STREET MONUMENT (TO BE SET)
⊙	EXIST. STREET MONUMENT
⊙	EXIST. SD INLET & MH
⊙	EXIST. SEWER MH
⊙	EXIST. VALVE, TEE, & BEND
⊙	EXIST. FIRE HYDRANT
o XXXXX	SPOT ELEVATION



**(PRELIMINARY PLAT - NOT TO BE RECORDED)**

**RAY'S VILLAGE**  
SOUTH WEBER CITY, UTAH  
Water Plan

REVISION BLOCK	
#	DESCRIPTION

<b>WATER PLAN</b>	
Scale: 1"=40'	Drawn: SGA
Date: 5/30/19	Job #: 19-0034
Sheet: C6	

**FOCUS**  
ENGINEERING AND SURVEYING, LLC  
32 WEST CENTER STREET  
MIDVALE, UTAH 84047 PH: (801) 552-0075  
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1 Front Elevation  
1/4" = 1'-0"



2 Left Elevation  
1/4" = 1'-0"

TRUE HOMES TOWN  
HOMES  
Enter address here



Contractor shall verify all dimensions, conditions and measurements at the job prior to construction. This drawing as an instrument of professional service is the property of SHADO JOHNSON DESIGN LLC and shall not be used, in whole or in part, for any other project without the permission of an authorized representative of SHADO JOHNSON DESIGN LLC.  
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Revision Number	Revision Date	Revision Description

PROJECT STATUS:	DATE:
Project Status	Issue Date
PROJECT NUMBER:	
Project Number	

SHEET NUMBER

4 Plex Elevations

RAY VILLAGE



1 Rear Elevation  
1/4" = 1'-0"



2 Right Elevation  
1/4" = 1'-0"

TRUE HOMES TOWN  
HOMES  
Enter address here



Contractor shall verify all dimensions, conditions and measurements at the job prior to construction. This drawing as an instrument of professional service is the property of SHADO JOHNSON DESIGN LLC and shall not be used, in whole or in part, for any other project without the permission of an authorized representative of SHADO JOHNSON DESIGN LLC.  
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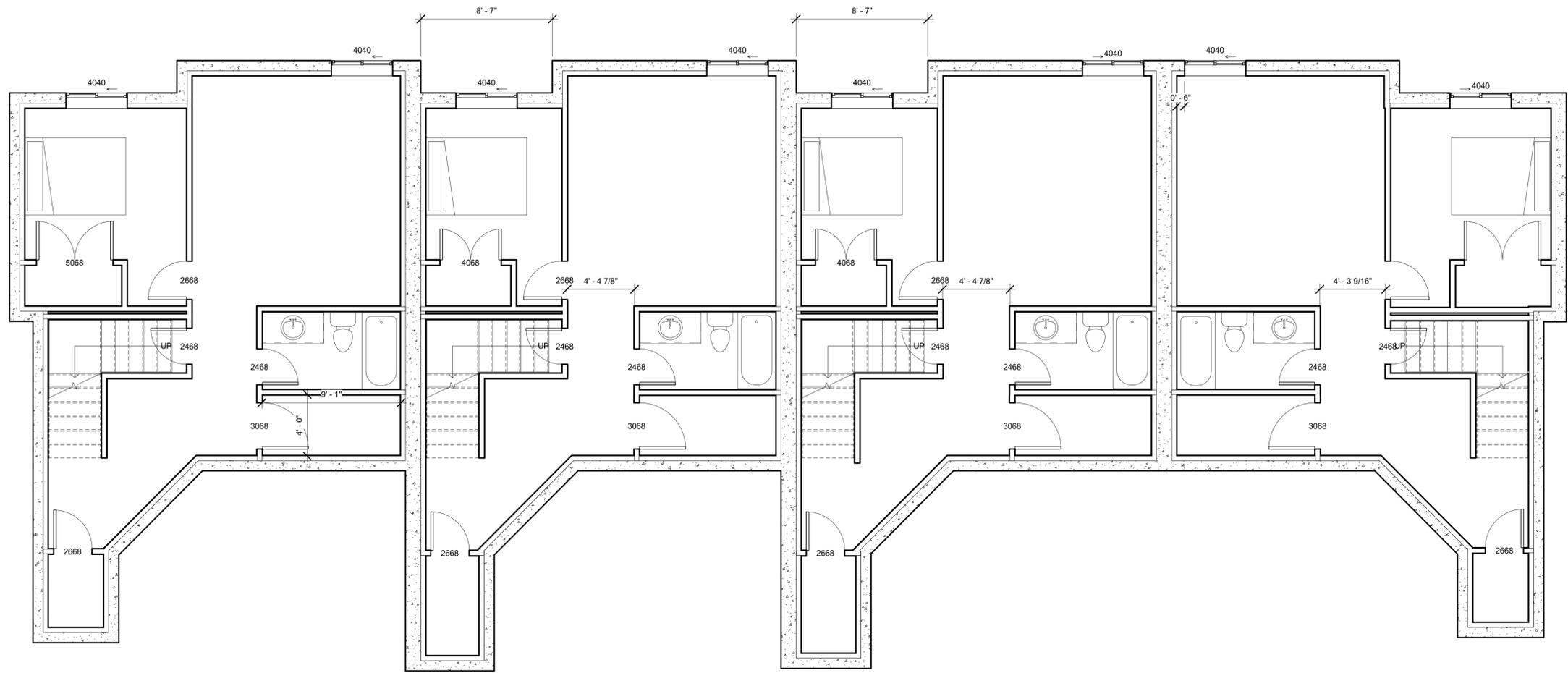
Revision Number	Revision Date	Revision Description

PROJECT STATUS:	DATE:
Project Status	Issue Date
PROJECT NUMBER:	Project Number

SHEET NUMBER

A6 4 Plex Elevations

RAY VILLAGE



① Basement  
1/4" = 1'-0"

TRUE HOMES TOWN  
HOMES  
Enter address here



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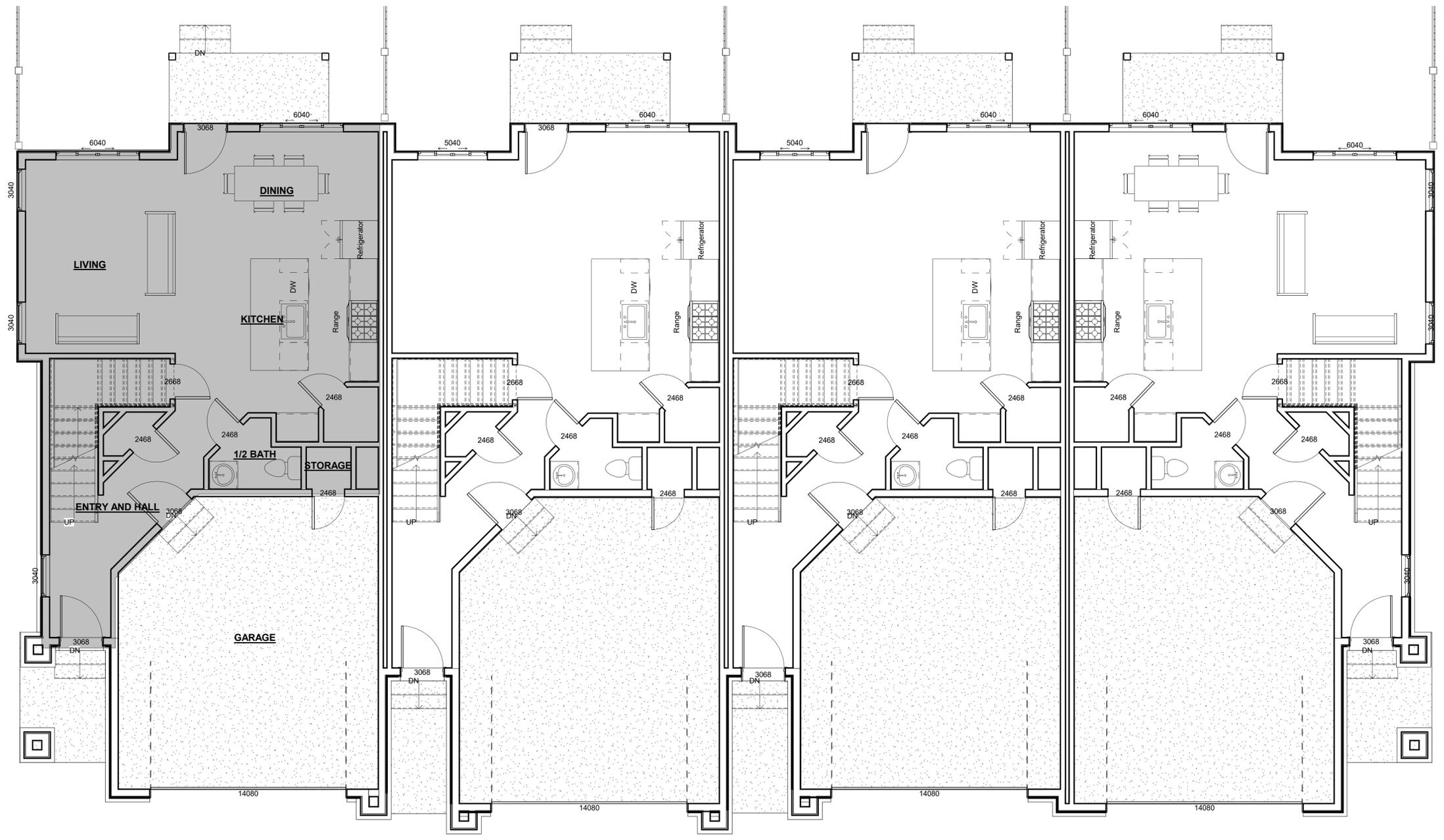
Revision Number	Revision Date	Revision Description

PROJECT STATUS:	DATE:
Project Status	Issue Date
PROJECT NUMBER:	
Project Number	

4 Plex Basement Plan

RAY VILLAGE

SHEET NUMBER



① First Floor 4 Plex  
1/4" = 1'-0"

TRUE HOMES TOWN  
HOMES  
Enter address here



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PROJECT STATUS: DATE:  
Project Status Issue Date  
PROJECT NUMBER:  
Project Number

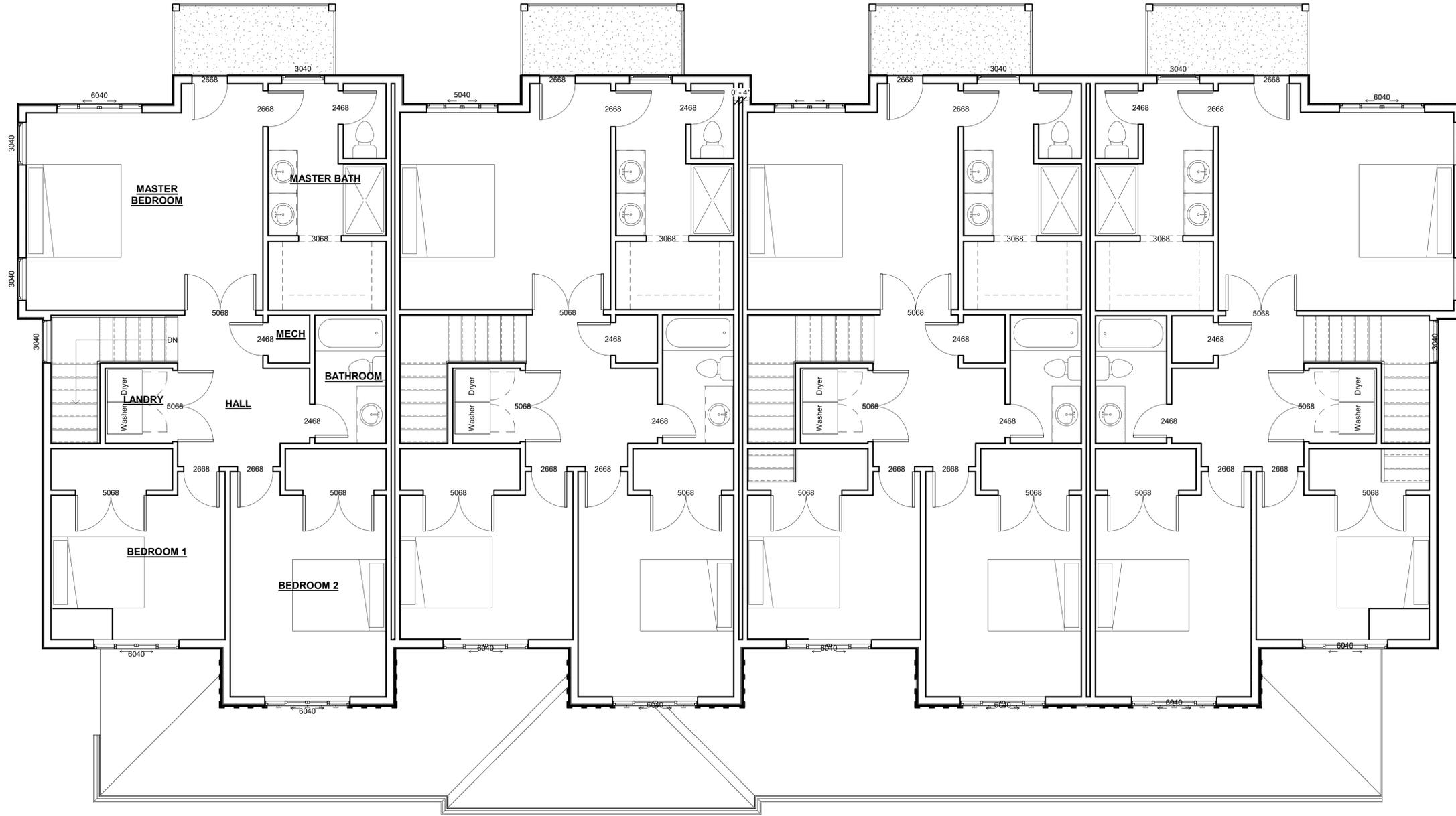
Revision Number	Revision Date	Revision Description

4 Plex First Floor Plan

RAY VILLAGE

SHEET NUMBER

A8



1 Second Floor 4 Plex  
1/4" = 1'-0"

TRUE HOMES TOWN  
HOMES  
Enter address here



Contractor shall verify all dimensions, conditions and measurements at the job prior to construction. This drawing is an instrument of professional service is the property of SHADD JOHNSON DESIGN LLC and shall not be used, in whole or in part, for any other project without the permission of an authorized representative of SHADD JOHNSON DESIGN LLC.  
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Unauthorized use will be prosecuted to the fullest extent of the law.

Revision Number	Revision Date	Revision Description

PROJECT STATUS:	DATE:
Project Status	Issue Date
PROJECT NUMBER:	
Project Number	

SHEET NUMBER

# 4 Plex Second Floor Plan

# RAY VILLAGE

**PROJECT REVIEW  
RAY'S VILLAGE TOWNHOMES  
By Barry Burton**

June 5, 2019

**REZONE**

**General Information:** This proposal is to rezone 3.67 acres of land from the C and A zones to the R-H zone. This is the site of the old Ray's Valley Service and the adjacent Harold Ray property. It also includes the home site immediately west of the old store. The applicant, Ray Creek LLC, is seeking approval to build a 39-unit townhome development on the site.

Even though the property is currently mostly zoned C and is projected to stay that way in the current General Plan, this site has been discussed as part of our ongoing General Plan Update process. In those discussions, the Planning Commission determined that it would be proposing to change the designation to high density housing. This proposal is a little ahead of the General Plan process, but not out of character with discussed changes.

**Recommendation:** I recommend the PC recommend approval of the rezone request to the City Council based on expected changes to the General Plan. This project will also help us meet moderate income housing goals.

**PRELIMINARY PLAN**

**General:** The project would put 39 townhome units on 3.67 acres for 10.6 units/acre. There would also be a separate parcel within the project for the existing cell phone tower. The City's well and associated property is not part of the project.

**Layout:** The project is split into two phases in two, more or less triangular pieces of the site. There would be an interior private road going through the project with an access onto South Weber Drive at the east end and an access onto 1550 East on the west end. The layout seems to provide reasonable access to all units as well as emergency vehicles and should minimize friction with South Weber Drive traffic. No units will front on South Weber Drive.

Staff asked for and received a revised plan that kept the detention basins out of the tier 1 protection area for the City well. The open space exceeds the 30% requirement. There is a main waterline and a sewer line that traverse the site as well as a communications cable. These utilities are showing adequate easement protection.

There is an overhead powerline going through the site that appears to be going over the top of four or five of the units. We will need to make sure there is adequate separation from the buildings to those lines.

**Architecture:** We don't have a lot of information about the architecture at this point. All we have are some floor plan schematics. This is something we can address at final approval.

**Recommendation:** I recommend approval of the Preliminary Plan with the condition that the rezone be approved by the City Council and provided there is adequate separation between the powerlines and the buildings.

**MEMORANDUM**

TO: South Weber City Planning Commission

FROM: Brandon K. Jones, P.E.  
South Weber City Engineer 

CC: Barry Burton – South Weber City Planner  
Mark Larsen – South Weber City Public Works Director

**RE: RAY’S VILLAGE  
Preliminary Review**

Date: June 6, 2019

---

Our office has completed a review of the Preliminary Plans for the Ray’s Village Development, dated May 30, 2019. We recommend approval subject to the property being rezoned and the following items being addressed prior to approval from the City Council. Some items are mentioned for information purposes only.

**GENERAL**

1. Design plans need to be submitted to the South Weber Water Improvement District and an approval letter provided indicating that the improvement plans meet their requirements.
2. The South Weber Fire Department needs to review and provide documentation that the proposed development meets fire code.
3. A full geotechnical report must be provided, and all recommendations complied with.
4. The subject property currently has two access points on South Weber Drive (SR-60). Since the location and use of the access point is changing significantly, the Developer must receive the required Access Permit from UDOT.
5. The City is responsible for protecting their culinary water well from any potential contamination sources (PCS’s). The State requires that all Public Water Systems provide a Drinking Water Source Protection Plan (DWSP) in accordance with Utah Administrative Code, Rule R309-600 for all of their water sources. The DWSP prepared for the South Weber Well is dated October 2015. The Plan identifies 4 different protection zones. Each zone has different restrictions. The proposed development has ground affecting Zone 1 and Zone 2. These are the most critical zones, as they are closest in proximity to the well and have the highest potential contamination risks.

In Section 6, Table 6-1 identifies the four different protection zones, a list of PCS’s and their associated restrictions per zone. Based on this table, there are 2 PCS’s that ought to be addressed (on following page):

Potential Contamination Sources (PCS's)	Protection Zones		
	1	2	3 & 4
Residential pesticide / herbicide / fertilizer	Prohibited	Allowed	Allowed
Detention / retention basin	Prohibited	Restricted	Allowed

We recommend that the Developer propose mitigating measures and restrictive language on the plat in order to protect against the identified PCS's in their respective zones.

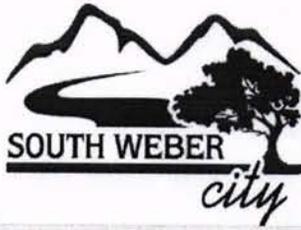
**PLAT**

6. Addresses for the development will be provided by our office.
7. The interior road needs to be given a name and labeled as a "Private Road."
8. The DWSP Zones 1 and 2 should be shown and labeled accordingly. Restriction language should be included.
9. Utility easements will need to be provided and clearly labeled for all existing and proposed utilities. For existing utilities, a signature block will need to be provided as an acknowledgement of the easement shown on the plat.
10. Although private ownership is being shown all the way to boundary line, the structures will need to comply with all setbacks (30' front, 30' rear, 10' side, 20' side adjacent to a street).
11. The section of 1550 East adjacent to this development is owned by South Weber City, but not dedicated as ROW. We would recommend having that parcel included with the plat and dedicated as ROW. This means that the City will need to sign the plat as an owner in addition to their traditional signature blocks.
12. The property line on the south west corner adjacent to 1550 East is offset from the ROW line to the south. A small portion of property should be dedicated to the ROW to clean up this line. This is also needed in order to provide ROW for the sidewalk (see item #18).

**IMPROVEMENT PLANS**

13. The 24" storm drain on the west being re-routed does not need to be contained within the subdivision boundary. It can be placed in the adjacent city parcel or the road.
14. All storm water must be kept on site and drained through the proposed detention basins. The ground must be graded or additional inlet boxes provided so that no storm water drains onto adjacent property.
15. The material type and location of fencing needs to be specifically called out.
  - a. There should be a fence between the Subdivision and the Reisbeck property. However, this will put the fence in the waterline easement, running parallel to the waterline. There are also patio fences showing into the waterline easement, restricting the access to the waterline. Public Works needs to clarify what will work for them in this situation.
16. All waterlines must be DIP cl-51 poly-wrapped.
17. All water services are a minimum of 1" (not ¾").

18. A city standard sidewalk needs to be provided along 1550 East. We would recommend that it be located against the back of curb (6' wide), as it appears there is not enough room for a parkstrip without dedicating more property to the ROW. Any curb and gutter not in good condition or settled will need to be replaced prior to the sidewalk being installed.
19. A Landscape Plan will need to be provided.
20. All provisions required in City Code 10-5C-10: Special Conditions, must be met.



1600 E. South Weber Drive  
South Weber, UT 84405

www.southwebercity.com

801-479-3177  
FAX 801-479-0066

Approved by PC \_\_\_\_\_  
Approved by CC \_\_\_\_\_

OFFICE USE ONLY

	1-10 lots	11 + lots	Amt Pd	Date	Rcpt #	Mtg date
Concept	\$ 200.00	\$ 400.00	400.00	2/21/19	17.054206	2/28/2019
Sketch	\$ 400.00	\$ 700.00	700.00	3/28/19	17.054677	4/18/2019
2nd Sketch	\$ 300.00	\$ 350.00	350.00	5/23/19	17.055277	5/23/2019
Prelim	\$ 600.00	\$ 900.00				
Final	\$ 700.00	\$ 1,100.00				

**SUBDIVISION/LAND USE PROCESS APPLICATION**

Project/Subdivision Name: Dear Run  
 Approx. Location: 7870 S. 2700 E. S. Weber, UT 84405  
 Parcel Number(s): #13-041-0068 #0062 #0010 #0115 Total Acres: 3.29 +/-  
 Current Zone: C-H If Rezoning, to what zone: C-O Bordering Zones: E-CH / N, S, W / R-L-M  
 Surrounding Land Uses: Residential  
 Number of Lots: 80 units # of Lots Per Acre: 25 PUD:  Yes  No

**Developer or Agent**

Name: XXXXXX Joseph Cook  
 Company: TBD / Glenkens Investments, LLC  
 Address: P.O. Box 540395  
 City/State/Zip: North Salt Lake 84054  
 Phone: (850) 699-3448  
 Email: sunsetbuilders1@gmail.com  
 784 Parkway Drive, North Salt Lake UT 84054  
 850-699-3448

**Developer's Engineer**

Name: Fred Cox (Architect)  
 Company: Entellen Design Build  
 Address: 8707 Sandy Pkwy  
 City/State/Zip: Sandy, UT 84070  
 Phone: (801) 542-8090  
 Email: fcc@fredcox.com  
 State License # \_\_\_\_\_

**Property Owner, if not Developer**

Name: Dear Run Plaza LLC  
 Company: Dear Run Plaza LLC  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

**Surveyor, if not Engineer**

Name: HENRY De VARONA  
 Company: Sunset Development  
 Address: 5460 S 2450 W  
 City/State/Zip: Roy, UT 84067-6717  
 Phone: 801-477-5340  
 Email: SunsetBuilders72@gmail.com

**Development Signs:**

Please note that a building permit is required for all temporary subdivision signs. Signs cannot obstruct clear and free vision and must comply with all City Codes. Failure to comply will result in sign removal.

**Applicant Certification**

I 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 also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application and to appear on my/our behalf before any city commission, board or council considering this application. Should any of the information or representations submitted be incorrect or untrue, I understand that The City of South Weber may rescind any approval or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the South Weber City Land Development Code (SWMC 11) and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I agree to pay all fees associated with this project, as set by the current adopted Consolidated Fee Schedule as well as **any fees associated with any City Consultant (i.e. engineer, attorney)**. The applicant shall also be responsible for all collection fees incurred including a collection fee of up to 40% (pursuant to the provisions of the Utah Code Ann. §12-1-11). I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Applicant's Signature: [Signature] Date: 2/20/19

State of Utah, County of Davis  
Subscribed and sworn to before me on this 20<sup>th</sup> day of February, 2019  
By Joseph Merrell Clark

Notary [Signature]



Property Owner's Signature: [Signature] Seal Date: 2/20/19

State of Utah, County of ~~Davis~~ Salt Lake  
Subscribed and sworn to before me on this 20 day of February, 2019  
By [Signature] And

Notary [Signature]



Seal

Consultant

No.	Revisions	Date

**THE LOFTS AT DEER RUN**  
7870 S. 2700 EAST  
SOUTH WEBER, UTAH

Sheet Title  
**SITE PLAN**

Project Title  
SoWeber-A001-E924  
Drawn by:

Reviewed by:

Date Issued:  
MAY 24, 2019

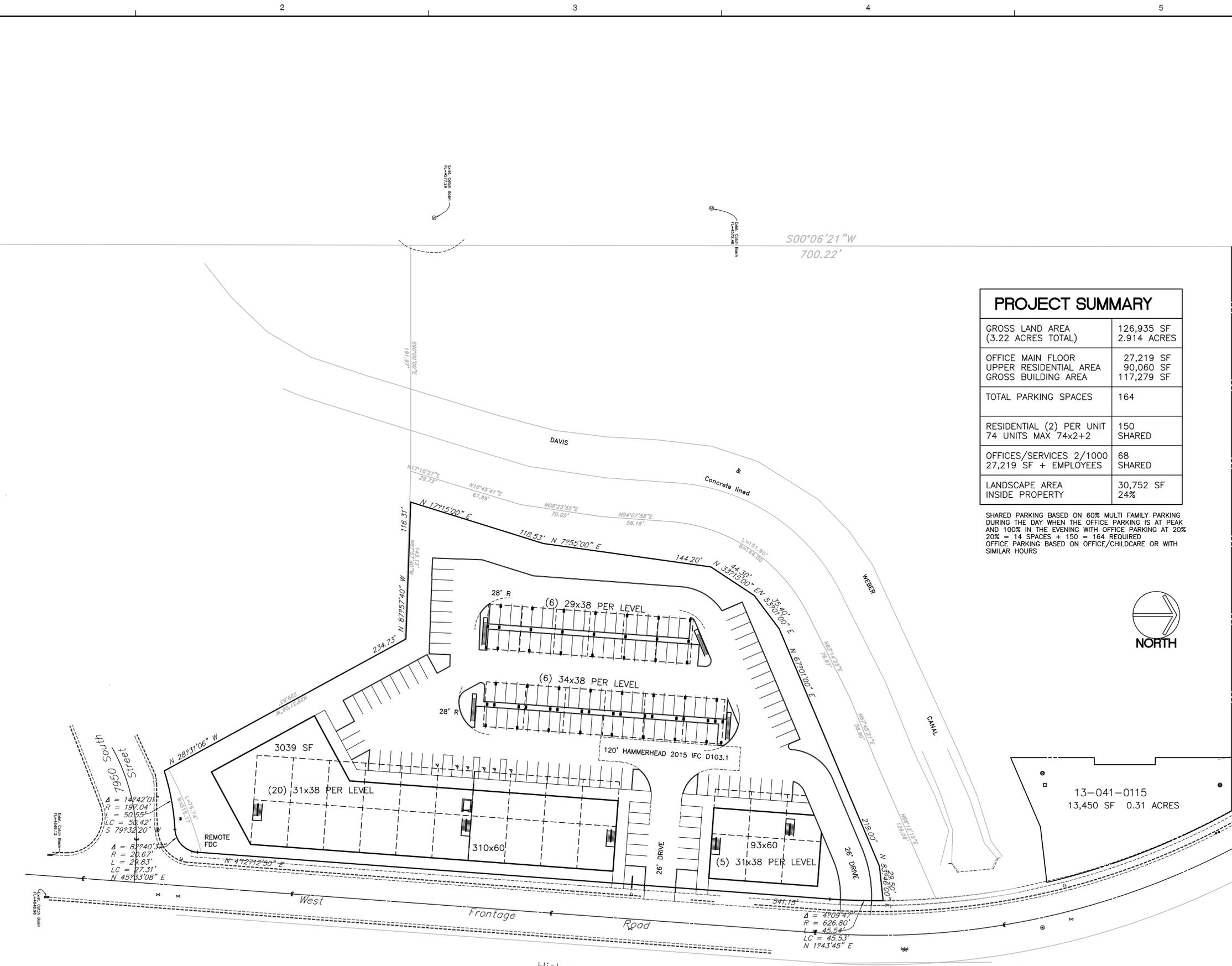
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Sheet No.

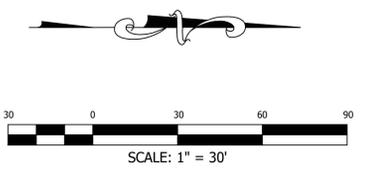
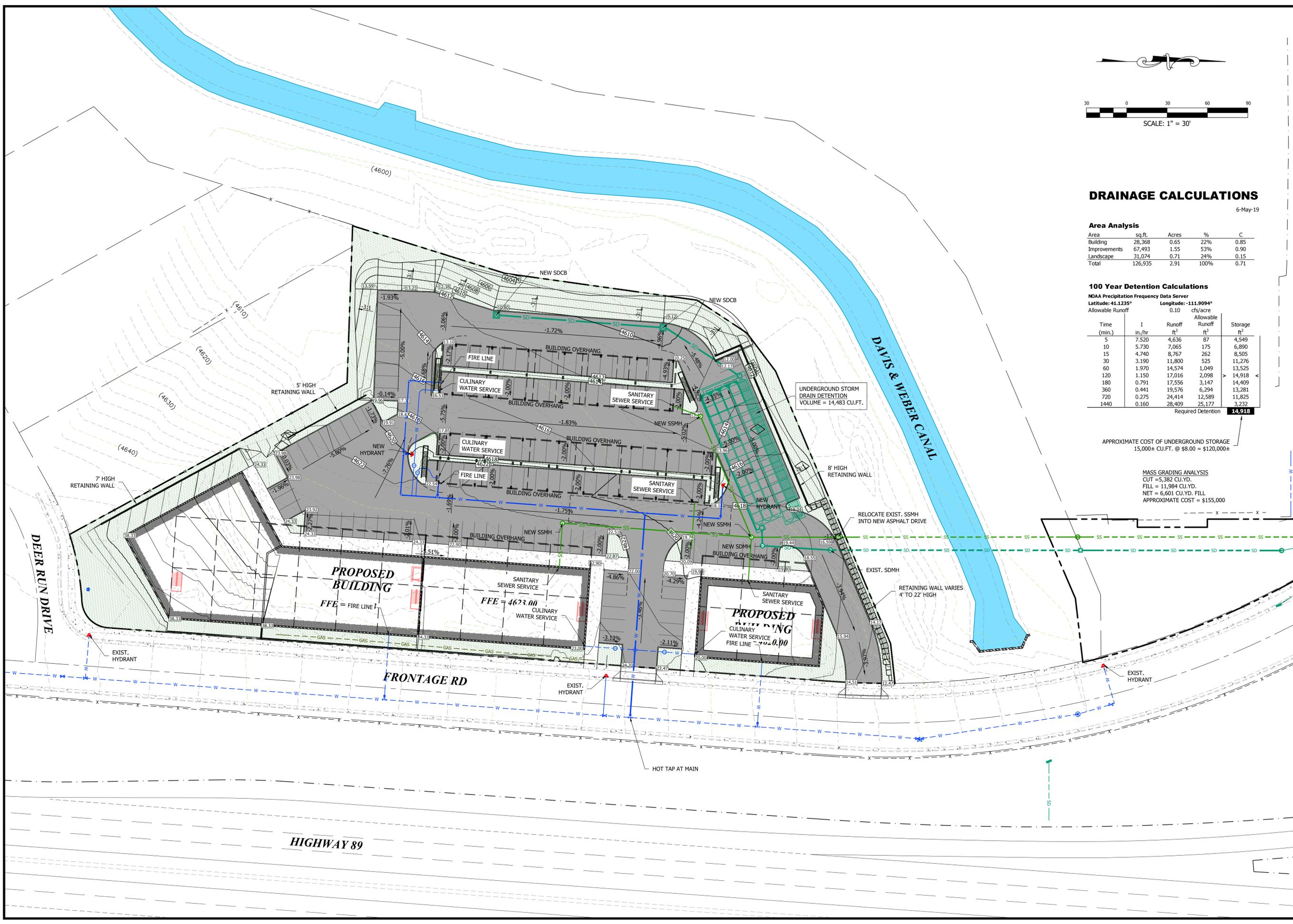
**A001**

PROJECT SUMMARY	
GROSS LAND AREA (3.22 ACRES TOTAL)	126,935 SF 2.914 ACRES
OFFICE MAIN FLOOR	27,219 SF
UPPER RESIDENTIAL AREA	90,060 SF
GROSS BUILDING AREA	117,279 SF
TOTAL PARKING SPACES	164
RESIDENTIAL (2) PER UNIT	150 SHARED
74 UNITS MAX 74x2+2	
OFFICES/SERVICES 2/1000	68 SHARED
27,219 SF + EMPLOYEES	
LANDSCAPE AREA	30,752 SF
INSIDE PROPERTY	24%

SHARED PARKING BASED ON 60% MULTI FAMILY PARKING DURING THE DAY WHEN THE OFFICE PARKING IS AT PEAK AND 100% IN THE EVENING WITH OFFICE PARKING AT 20%  
20% = 14 SPACES + 150 = 164 REQUIRED  
OFFICE PARKING BASED ON OFFICE/CHILD CARE OR WITH SIMILAR HOURS



DRAWINGS ARE BASED ON SURVEYS BY GREAT BASIN ENG.



### DRAINAGE CALCULATIONS

6-May-19

#### Area Analysis

Area	sq.ft.	Acres	%	C
Building	28,368	0.65	22%	0.85
Improvements	67,493	1.55	53%	0.90
Landscape	31,074	0.71	24%	0.15
Total	126,935	2.91	100%	0.71

#### 100 Year Detention Calculations

NOAA Precipitation Frequency Data Server  
 Latitude: 41.1235° Longitude: -111.9094°  
 Allowable Runoff: 0.10 cfs/acre

Time (min.)	I in./hr	Runoff ft <sup>3</sup>	Allowable Runoff ft <sup>3</sup>	Storage ft <sup>3</sup>
5	7.520	4,636	87	4,549
10	5.730	7,065	175	6,890
15	4.740	8,767	262	8,505
30	3.190	11,800	525	11,276
60	1.970	14,574	1,049	13,525
120	1.150	17,016	2,098	14,918
180	0.791	17,556	3,147	14,409
360	0.441	19,576	6,294	13,281
720	0.275	24,414	12,589	11,825
1440	0.160	28,409	25,177	3,232

Required Detention **14,918**

APPROXIMATE COST OF UNDERGROUND STORAGE  
 15,000± CU.FT. @ \$8.00 = \$120,000±

MASS GRADING ANALYSIS  
 CUT = 5,382 CU.YD.  
 FILL = 11,984 CU.YD.  
 NET = 6,601 CU.YD. FILL  
 APPROXIMATE COST = \$135,000

181 North 200 West, Suite #4  
 Bountiful, UT 84010  
 Phone 801.298.2236  
 www.Entellus.com



SOUTH WEBER MIXED USE

7870 S 2100 EAST  
 LOCATED IN THE SW 1/4 OF SECTION 36, T.5N., R.1W., S.L.B.&M.  
 SOUTH WEBER, DAVIS COUNTY, UTAH

DRAWN: LKM 6 MAY 2019  
 APPROVED: LKM 6 MAY 2019  
 PROJECT: 1749001  
 PRELIM GRADING.dwg

**C500**  
 PRELIMINARY GRADING PLAN



SouthWeber	5/14/2019	Weekday		Weekend		Nighttime
		Daytime	Evening	Daytime	Evening	
		100% 6am-6pm	6pm-Midnight	6am-6pm	6pm-Midnight	Midnight-6am
Office		100%	20%	5%	5%	5%
Retail		80%	90%	100%	70%	5%
Restaurant		65%	100%	80%	100%	50%
Multi-Family		60%	100%	80%	100%	100%
Child/Office		100%	10%	10%	5%	5%
Office	68	68	14	3	3	3
Retail	0	0	0	0	0	0
Restaurant	0	0	0	0	0	0
Multi-Family	150	90	150	120	150	150
Child/Office	0	0	0	0	0	0
	218	158	164	123	153	153



When recorded return to:  
South Weber City  
1600 East South Weber Drive  
South Weber, UT 84405

**DEVELOPMENT AGREEMENT  
FOR THE LOFTS AT DEER RUN  
IN SOUTH WEBER CITY**

This **DEVELOPMENT AGREEMENT** (“Agreement”) is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and between **GLENBURN INVESTMENTS, LLC** of 784 Parkway Drive, North Salt Lake, UT 84054 (hereinafter referred to as “Developer”), and **DEER RUN PLAZA LLC** of 10883 South Martingale Lane, South Jordan, UT 84095 (hereinafter referred to as “Owner”), and **SOUTH WEBER CITY**, a municipal corporation of the State of Utah (hereinafter referred to as “City”), of 1600 East South Weber Drive, South Weber, UT 84405. Developer, Owner, and City are heretofore referred to as the “**Parties.**”

**RECITALS:**

- A. Owner acknowledge that Developer is their authorized agent to represent their interest in development of their fee simple title property, approximately 3.22 acres, as more particularly described in **Exhibit A** attached hereto (the “Property”). A Concept Plan of the site is attached hereto as **Exhibit B.**
- B. Developer proposes a mixed-use development which includes residential and commercial buildings and associated streets, shared parking, and other required improvements collectively known as the “The Lofts at Deer Run” (the “Development”), on the Property.
- C. The purpose of this Agreement is to establish the approved criteria required for the development of the Development prior to approval through the City’s required subdivision process.
- D. City, acting pursuant to its authority under Utah Code Ann. § 10-9-101, *et seq.*, and its land use policies, ordinances and regulations has made certain determinations with respect to the Subdivision and, in the exercise of its legislative discretion, has elected to approve this Development Agreement for the purpose of specifying the obligations of the respective parties with respect to the installation of required infrastructure improvements and such other matters as the Parties agree herein.

**AGREEMENT**

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Incorporation of Recitals and Exhibits.** The foregoing Recitals and all Exhibits referenced herein are hereby incorporated by this reference and made part of this Agreement.
2. **City Laws and Purpose.** City determines that the provisions of this Agreement relating to establishment of Developer's rights and obligations are consistent with City laws, including the City's land use ordinances, the purposes set forth in the zoning district, and the City's General Plan. This Agreement is adopted by a City ordinance as a legislative act and hereby amends the City laws only to the extent within the authority of City and only to the extent necessary to give Developer the effect of the rights and obligations of this Agreement where such City laws may be inconsistent with this Agreement's intent.
3. **Subdivision Approval.** This Agreement does not remove the Developer from their obligation to adhere to the City's established Subdivision approval process. The Developer shall comply with all applicable time frames as specified in City Code.
4. **Geotechnical.** The Development is located within the area identified in the General Plan as Sensitive Lands. As such, the Developer must comply with all provision of City Code, Title 10 Zoning Regulations, Chapter 14 Sensitive Lands Development Regulations.
5. **Sewer Capacity.** The Sewer Capital Facilities Plan, dated August 2017, identifies the Property as requiring 4.0 Equivalent Residential Units (ERU's) based on an assumed commercial-only land use. The City acknowledges that the Development exceeds the anticipated demand and the needed capacity will be addressed through future Capital Facilities Plans and future capital improvement projects. The Development's proportional share of the future capital improvement projects will be paid for through the impact fees assessed when the Building Permit is approved.
6. **Density.** The Development will be limited to not more than seventy-four (74) new residential units.
7. **Parking.** In order to accommodate the parking needs of both the residential and commercial users within the Development, there shall be at least one hundred and sixty-four (164) parking spaces. Of these spaces, there shall be one (1) space dedicated solely for each residential unit with the remaining spaces being shared by both commercial and residential occupants. In order to ensure parking requirements are followed, Developer agrees that future residents and commercial tenants/operators are made aware in writing of the dedicated and shared parking requirement. Signage and pavement marking must be provided designating a specific parking stall to each residential unit. Signage is not required for any remaining parking spaces.
8. **Hours of Operation.** Commercial buildings shall limit the hours of operation of all businesses within the Development to the hours between 5:00 am to 6:00 pm.
9. **Detention Basin.** A detention basin is required in order to control the flow of storm water leaving the site. The basin is the sole responsibility of the Development and will be privately

owned and maintained. However, the sizing, design, and construction of the basin must comply with City Code and City Standards.

**10. Successors and Assigns.**

10.1 Binding Effect. This Agreement shall be binding upon the successors and assigns of the Parties. Owners acknowledge and agree that if the City is not paid in full in a timely fashion by Developer of all monies as stated in this Agreement, no future development will be permitted by City on the Property until full payment is made.

10.2 Assignment. Neither this Agreement nor any of its provisions, terms or conditions may be assigned to any other Party, individual, or entity without assigning the rights as well as the responsibilities under this Agreement and without the prior written consent of City, which consent shall not be unreasonably withheld. Any such request for assignment may be made by letter addressed to South Weber City, and the prior written consent of City may also be evidenced by letter from City to Developer.

11. **Default.** In the event either Party fails to perform its obligations hereunder or to comply with the terms and commitments hereof, within thirty (30) days after having been given written notice of default from the other Party, the non-defaulting Party may, at its election, have the following remedies, which shall be cumulative:

11.1 all rights and remedies available at law and in equity, including but not limited to injunctive relief, specific performance, and/or damages;

11.2 to cure such default or enjoin such violation and otherwise enforce the requirements contained in this Agreement; and

11.3 the right to withhold all further approvals, licenses, permits, or other rights associated with any activity or development described in this Agreement until such default is cured.

12. **Insolvency.** Insolvency, bankruptcy, or any voluntary or involuntary assignment by any Party for the benefit of creditors, which action is unresolved for a period of one hundred eighty (180) days, shall be deemed to be a default by such Party under this Agreement.

13. **Court Costs and Attorneys' Fees.** In the event of any legal action or defense between the Parties arising out of or related to this Agreement or any of the documents provided for herein, the prevailing Party or Parties shall be entitled, in addition to the remedies and damages, if any awarded in such proceedings, to recover their costs and reasonable attorneys' fees.

14. **Notices.** Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served personally upon the Party for whom intended, or if mailed, be by certified mail, return receipt requested, postage prepaid, to such Party at:

Developer: Glenburn Investments, LLC  
784 Parkway Drive  
PO BOX 540395  
North Salt Lak, UT 84054

City: South Weber City  
Attention: City Manager  
1600 East South Weber Drive  
South Weber, UT 84405

Owner: Deer Run Plaza LLC  
10883 South Martingale Lane  
South Jordan, UT 84095

Any Party may change its address or notice by giving written notice to the other Parties in accordance with the provisions of this section.

#### **15. General Terms and Conditions.**

15.1 Amendments. Any alteration or change to this Agreement shall be made only after complying with any applicable notice and hearing provisions of MLUDMA and applicable provisions of the City Laws.

15.2 Captions and Construction. This Agreement shall be construed according to its fair meaning and as if prepared by all Parties hereto. Titles and captions are for convenience only and shall not constitute a portion of this agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates. Furthermore, this Agreement shall be construed to effectuate the public purposes, objectives and benefits set forth herein while protecting any compelling countervailing public interest and providing to Developer vested development rights as described herein. As used in this Agreement, the words “include” and “including” shall mean “including, but not limited to” and shall not be interpreted to limit the generality of the terms preceding such word.

15.3 Term of Agreement. The term of this Agreement shall be for a period of ten (10) years following the date of its adoption.

15.4 Agreement to Run with the Land. This Agreement shall be recorded in the office of the Davis County Recorder against the Property and is intended to and shall be deemed to run with the land and shall be binding on and inure to the benefit of the Parties hereto and their respective successors and assigns. This Agreement shall be construed in accordance with the City Laws. Any action brought in connection

with this Agreement shall be brought in a court of competent jurisdiction located in Davis County, Utah.

- 15.5 Legal Representation. Each of the Parties hereto acknowledge that they each have been represented by legal counsel in negotiating this Agreement and that no Party shall have been deemed to have been the drafter of this Agreement
- 15.6 Non-Liability of City Officials. No officer, representative, agent or employee of the City shall be personally liable to any other Party hereto or any successor in interest or assignee of such Party in the event of any default or breach by the defaulting Party, or for any amount which may become due the non-defaulting Party, its successors or assigns, or for any obligation arising under the terms of this Agreement.
- 15.7 Entire Agreement. This Agreement, together with the exhibits hereto, integrates all of the terms and conditions pertaining to the subject matter hereof and supersedes all prior negotiations, representations, promises, inducements, or previous agreements between the Parties hereto with respect to the subject matter hereof. Any amendments hereto must be in writing and signed by the respective Parties hereto.
- 15.8 No Third-Party Rights. The obligations of the Parties set forth in this Agreement shall not create any rights in or obligations to any persons or parties other than to the Parties named herein. The Parties alone shall be entitled to enforce or waive any provisions of this Agreement to the extent that such provisions are for their benefit.
- 15.9 Force Majeure. Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes, labor disputes, inability to obtain labor, materials, equipment or reasonable substitutes therefore, acts of nature, government restrictions, regulations or controls, judicial orders, enemy or hostile government actions, war, civil commotions, fires, floods, earthquakes or other casualties or other causes beyond the reasonable control of the Party obligated to perform hereunder, shall excuse performance of the obligation by that Party for a period equal to the duration of that prevention, delay or stoppage. Any Party seeking relief under the provisions of this paragraph must have noticed the other parties in writing of a force majeure event within thirty (30) days following the occurrence of the claimed force majeure event.
- 15.10 Severability. Should any portion of this Agreement for any reason be declared invalid or unenforceable, the invalidity or unenforceability of such portion shall not affect the validity of any of the remaining portions, and the same shall be deemed in full force and effect as if this Agreement had been executed with the invalid portions eliminated.

- 15.11 Waiver. No waiver of any of the provisions of this Agreement shall operate as a waiver of any other provision regardless of any similarity that may exist between such provisions, nor shall a waiver in one instance operate as a waiver in any future event. No waiver shall be binding unless executed in writing by the waiving Party.
- 15.12 Governing Law. This Agreement and the performance hereunder shall be governed by the laws of the State of Utah.
- 15.13 Exhibits. Any exhibit to this Agreement is incorporated herein by this reference, and failure to attach any such exhibit shall not affect the validity of this Agreement or of such exhibit.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective duly authorized representatives as of the day and year first written above.

“Developer”  
**GLENBURN INVESTMENTS, LLC**

By \_\_\_\_\_

Title \_\_\_\_\_

Witness the hand of said grantors, this \_\_\_\_ day of \_\_\_\_\_, A.D. 2019.

\_\_\_\_\_  
Glenburn Investments, LLC

State of Utah )

) ss.

County of Davis )

On this \_\_\_\_ day of \_\_\_\_\_, A.D. 2019, personally appeared before me,

\_\_\_\_\_, the signer of the foregoing instrument, who duly

acknowledged that he/she is the \_\_\_\_\_ of Glenburn Investments, a Limited

Liability Company and signed said document in behalf of said Glenburn Investments, LLC by

Authority of its Bylaws or Resolution of its Board of Directors, and said

\_\_\_\_\_ acknowledged to me said Limited Liability Company

executed the same.

WITNESS my hand and official seal the day and year in this certificate first above written.

\_\_\_\_\_

NOTARY PUBLIC  
Commission Expires:

“Owner”

**DEER RUN PLAZA LLC**

By \_\_\_\_\_

Title \_\_\_\_\_

On this \_\_\_ day of \_\_\_\_\_, A.D. 2019, personally appeared before me,  
\_\_\_\_\_, the signer of the foregoing instrument, who duly  
acknowledged that he/she is the \_\_\_\_\_ of Deer Run Plaza, a Limited  
Liability Company and signed said document in behalf of said Deer Run Plaza LLC by  
Authority of its Bylaws or Resolution of its Board of Directors, and said  
\_\_\_\_\_ acknowledged to me said Limited Liability Company  
executed the same.

WITNESS my hand and official seal the day and year in this certificate first above written.

\_\_\_\_\_  
NOTARY PUBLIC  
Commission Expires:

“City”

**SOUTH WEBER CITY**

By \_\_\_\_\_  
David Larson, City Manager

\_\_\_\_\_  
Attest: Lisa Smith, City Recorder

State of Utah            )  
                                  ) ss.  
County of Davis        )

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_ 2019, by David  
Larson.

WITNESS my hand and official seal the day and year in this certificate first above written,

\_\_\_\_\_  
NOTARY PUBLIC  
Commission Expires:

**EXHIBIT "A"**  
**THE LOFTS AT DEER RUN**

**BOUNDARY DESCRIPTION**

[INSERT LEGAL DESCRIPTION]



## **THOUGHTS ON GENERAL PLAN UPDATE**

By Barry Burton 6.5.19

In our next General Plan review meeting I would like to address a few odds and ends and how we would like to proceed with obtaining public comment.

I would like to take another look at the one remaining Agricultural designated area on the west end above South Weber Drive. Do we want to keep it as an agricultural designation or is there something else that would be more appropriate? Also, I think we need to look at the vehicle transportation plan in this area. It seems that with South Bench Drive in the picture, we need to make some revisions in this area.

Mayor Sjoblom would very much like us to consider another connection into Uintah across the river and I-84 on the east end of the City. Also, she has suggested we consider a footbridge across the canal where two City parks are on either side at approx. 2100 East 8100 South. This could be included in the Active Transportation Section.

I would like each of you to consider, as residents, how you would like to receive notice of and opportunity for input into the proposed Plan update. We have the online map with potential to allow public comments, but how do we get the word out about that. Do we want to have an open house, survey, etc. We will be required to have a public hearing, but what more do we need to do?