

## SOUTH WEBER PLANNING COMMISSION AGENDA

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PUBLIC NOTICE is hereby given that the Planning Commission of SOUTH WEBER CITY, Utah, will meet in an electronic meeting on Thursday January 14, 2021 streamed live on YouTube, commencing at 6:00 p.m.

**OPEN** (Agenda items may be moved in order or sequence to meet the needs of the Commission.)

1. Pledge of Allegiance: Commissioner Boatright
2. Read Electronic Meeting Declaration: Commissioner Osborne
3. Appointment of Chair and Vice Chair
4. Welcome of new City Planner Shari Phippen
5. Public Comment: Anyone requesting to comment live via Zoom must pre-register at the following <https://forms.gle/PMJFhYFJsD3KCi899> before 5 pm on the meeting date. Comments will also be accepted at [publiccomment@southwebercity.com](mailto:publiccomment@southwebercity.com)
  - a. Individuals may speak once for 3 minutes or less
  - b. State your name and address
  - c. Direct comments to the entire Commission
  - d. Note Planning Commission will not respond during the public comment period
6. Approval of Consent Agenda
  - a. 2020-12-17 Minutes
7. Discussion Item: Developer direction regarding Rays Village
8. Planning Commission Comments (Boatright, Grubb, Johnson, Osborne, Walton)
9. Adjourn

In compliance with the Americans With Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder, 1600 East South Weber Drive, South Weber, Utah 84405 (801-479-3177) at least two days prior to the meeting.

THE UNDERSIGNED DULY APPOINTED DEVELOPMENT COORDINATOR FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED, EMAILED, OR POSTED TO: 1. CITY OFFICE BUILDING 2. FAMILY ACTIVITY CENTER 3. CITY WEBSITE [www.southwebercity.com](http://www.southwebercity.com) 4. UTAH PUBLIC NOTICE WEBSITE [www.pmn.utah.gov](http://www.pmn.utah.gov) 5. THE GOVERNING BODY MEMBERS 6. OTHERS ON THE AGENDA

**DATE: January 7, 2020**

**DEVELOPMENT COORDINATOR: Kimberli Guill**

**ORDER ON PUBLIC MEETINGS OF THE  
SOUTH WEBER CITY PLANNING COMMISSION**


I, Robert Osborne, as the Chair of the South Weber City Planning Commission, do hereby find and declare as follows:

1. Due to the Emergency conditions which currently exist in the State of Utah, and specifically in Davis County and South Weber City as a result of the COVID-19 Pandemic and the recent surge in COVID-19 infections across the state and in Davis County, the holding of public meetings with an anchor location as defined in the *Utah Open and Public Meetings Act*, presents a substantial risk to the health and safety of those who may be present at the anchor location; and
2. The risk to those who may be present at an anchor location can be substantially mitigated by holding public meetings of the Planning Commission pursuant to electronic means that allow for public participation via virtual means; and
3. The City has the means and ability to allow virtual participation in the public meetings in accordance with the *Utah Open and Public Meetings Act*;

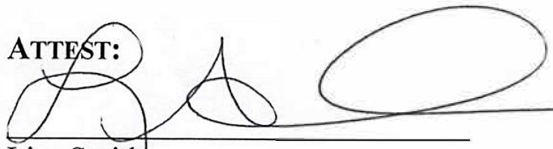
**NOW THEREFORE, BASED UPON THE FOREGOING,**

For thirty days from the date of this Order, meetings of the South Weber City Planning Commission shall be conducted by virtual means without an anchor location.

DATED this 4 day of January, 20 21

By:   
Robert Osborne, Chair

**ATTEST:**

  
Lisa Smith  
City Recorder

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

**DATE OF MEETING:** 17 December 2020

**TIME COMMENCED:** 6:04 p.m.

**LOCATION:** Electronic Meeting through Zoom

**PRESENT:** **COMMISSIONERS:**

Tim Grubb (excused)  
Gary Boatright  
Rob Osborne  
Wes Johnson  
Taylor Walton

**CITY ENGINEER:** Brandon Jones

**CITY PLANNER:** Barry Burton

**CITY ATTORNEY:** Jayme Blakesley

**DEVELOPMENT COORDINATOR:** Kimberli Guill

**Transcriber:** Minutes transcribed by Michelle Clark

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**ATTENDEES:** Enrique de Varona, Fred Cox, Blair Halverson, Brent Murray, Joe Perrin, Leland Martineau, Joseph Cook, and Tanya Jensen

**PLEDGE OF ALLEGIANCE:** Commissioner Walton

**Read Electronic Meeting Declaration:** Commissioner Osborne

### **Order on Public Meetings of the South Weber City Planning Commission**

I, Robert Osborne, as the Chair of the South Weber City Planning Commission, do hereby find and declare as follows:

1. Due to the Emergency conditions which currently exist in the State of Utah, and specifically in Davis County and South Weber City because of the COVID-19 Pandemic and the recent surge in COVID-19 infections across the state and in Davis County, the holding of public meetings with an anchor location as defined in the *Utah Open and Public Meetings Act*, presents a substantial risk to the health and safety of those who may be present at the anchor location; and
2. The risk to those who may be present at an anchor location can be substantially mitigated by holding public meetings of the Planning Commission pursuant to electronic means that allow for public participation via virtual means; and

3. The City has the means and ability to allow virtual participation in the public meetings in accordance with the *Utah Open and Public Meetings Act*;

NOW THEREFORE, BASED UPON THE FOREGOING,

For thirty days from the date of this Order, meetings of the South Weber City Planning Commission shall be conducted by virtual means without an anchor location.

DATED this 1 day of December 2020.

### **PUBLIC COMMENTS:**

Anyone requesting to comment live via Zoom must pre-register at the following <https://forms.gle/PMJFhYFJsD3KCj899> before 5 pm on the meeting date. Comments will also be accepted at [publiccomment@southwebercity.com](mailto:publiccomment@southwebercity.com)

- a. Individuals may speak once for 3 minutes or less
- b. State your name and address
- c. Direct comments to the entire commission
- d. Note planning commission will not respond during the public comment period

South Weber City received emails from the following: Paul Sturm and Jeffrey Eddings which will be attached to the minutes.

### **CONSENT AGENDA:**

- 16 September 2020 Minutes
- 12 November 2020 Minutes

**Commissioner Boatright moved to approve the consent agenda. Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Boatright, Osborne, Walton, and Johnson voted aye. The motion carried.**

**Final Site & Improvement Plans for Style Street Studios located at 2526 E South Weber Drive:** Commissioner Osborne asked the Planning Commission if they have any comments or concerns. Commissioner Johnson replied the plans are as what was presented in a previous meeting. Commissioner Osborne reported UDOT will be restriping South Weber Drive this spring. Commissioner Walton is still concerned with internal traffic flow as more development is added to this area, the more conflict there may be. Commissioner Osborne asked about the status of the coffee shop. Barry replied he isn't sure what their delay is as he hasn't heard anything recently. He reported if the drive across the frontage of the property is not paved prior to this project going in, they will pave it with this project. Commissioner Walton asked if there are any issues with the possibility of a future drive thru. City Planner, Barry Burton replied he doesn't see any major issues. He commented if that happens in the future, it will take out three parking spaces, but the parking will need to be re-evaluated. He feels the developer has done a good job for allowing for a drive thru for the future. City Engineer, Brandon Jones doesn't want the developer to feel they are getting approval for a drive thru right now, and if they do want to include that, they will need to come back for approval.

### **City Planner, Barry Burton's review of 1 December 2020 is as follows:**

**PL1** – Final architectural site plan approval from the Planning Commission is required. Chapter 10-12 of the zoning ordinance sets forth the issues the Planning Commission considers in reviewing an architectural site plan.

**PL2** – Chapter 12 includes the following traffic considerations:

*1. Traffic Safety and Congestion: Considerations relating to traffic safety and traffic congestion:*

- a. The effect of the site development plan on traffic conditions on abutting streets.*
- b. The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives and walkways.*
- c. The arrangement and accuracy of off-street parking facilities to prevent traffic congestion and compliance with the provisions of Chapter 8 of this Title.*
- d. The location, arrangement and dimension of truck loading and unloading facilities.*
- e. The circulation patterns within the boundaries of the development.*
- f. The surfacing and lighting of off-street parking facilities.*

Access and parking look sufficient in terms of number of parking spaces and width of access drives. There are necessary shared access drives on both the east and west sides of this site. They will be paved as part of this project. The adjacent road, South Weber Drive, is an arterial road and traffic associated with this site should have minimal impact on it. There are no truck loading/unloading facilities shown, but the proposed use would not require it. Both pedestrian and vehicular circulation within the site look good as does the surfacing and area lighting.

**PL3** – Provisions related to signs in 10-12 are:

*2. Outdoor Advertising: Considerations relating to outdoor advertising. Compliance with the provisions of Chapter 9 of this Title.*

The locations and sizes of signs are shown on the architectural rendering with one wall sign on the building and one ground sign near the southwest corner of the site. The signs are in compliance with the provisions of Chapter 9. Sign compliance will be checked again when building permits are pulled.

**PL4** – The following provisions relate to landscaping:

*3. Landscaping: Considerations relating to landscaping:*

- a. The location, height and materials of walls, fences, hedges, and screen plantings to ensure harmony with adjacent development or to conceal storage areas, utility installations or other unsightly development.*
- b. The placement of ground covers, shrubs, and trees.*
- c. The unnecessary destruction of existing healthy trees.*
- d. A layout plan for a sprinkling system.*

The planting plan and irrigation plan look good. There are no existing trees.

**PL5** – Provisions related to curb, gutter, and sidewalk on public streets:

*The applicant for site plan approval for multiple dwellings, commercial or industrial structures and all other business, public and semi-public buildings requiring motor vehicle access shall provide high-back curb, gutter, and sidewalks along the entire street frontage of the property of*

*any City road or street, except for entrances to the property, at which places the applicant shall provide curb cuts or private street entrances. (1989 Code § 12-18-004)*

The adjacent public street, South Weber Drive, is already fully improved in this location. The curb cuts for this project are existing and are 40' wide or more.

**PL6** – A storm drainage plan including a low impact development (LID) component has been provided and will be addressed by the City Engineer, Brandon Jones.

**PL7** – Area lighting has been included in the plans and a photometric analysis provided. It appears this project should not generate any negative light impacts.

**PL8** – Recommendation: I recommend granting Architectural Site Plan Approval.

**City Engineer, Brandon Jones review of 7 December 2020 is as follows:**

Our office has completed a review of the Site & Improvement Plans (dated November 11, 2020) for the Salon Suites. Some comments are included just for information.

**GENERAL**

E1. UDOT Approval. The City received a letter from David Alger with UDOT, dated December 7, 2020. This letter indicates the following:

- a. UDOT plans to “restripe and provide traffic delineation improvements associated with the intersection of 2700 E/Frontage Road and South Weber Drive as well as westbound traffic deceleration lanes.” Traffic patterns in the area will be analyzed prior to any restriping. UDOT “does not intend to make any changes prior to spring of 2021.”
- b. Any work inside the UDOT ROW will require the necessary encroachment permit (following city approval) and must meet UDOT standards.
- c. UDOT “does not have any issues with the location of the existing access points in regard to traffic patterns and allowing full movements on and off the SR-60.”

E2. Parking. It was discussed with City Staff that a minimum of 24 stalls would be required based on the use as a salon with 12 suites in the building (2 stalls per suite). The site plan provides for 27 (2 of which are ADA), which exceeds the requirement. If in the future a different use is desired, the parking requirement will need to be re-evaluated.

E3. Fire Flow. Based on the review from WC3 (dated September 14, 2020), the required fire flow is 2,000 gpm. Public Works conducted a fire flow test in the area near the proposed Salon Suites. The flow at a residual pressure of 20 psi is 2,683 gpm. Therefore, the required fire flow is met.

**IMPROVEMENT PLANS**

E4. The water service is proposed to be installed with trenchless construction as required by UDOT (minimal cutting of asphalt).

E5. Storm water Low Impact Development (LID) measures are being proposed, as required.



Additional information and clarification are needed regarding the volume retained in each proposed LID measure and detention portion of the basin. This can be done prior to the preconstruction meeting.

E6. Planning for a future drive-thru lane is a good idea. However, if it is desired in the future, the revised site plan will need approval at that time to verify that the changes do not create any adverse impacts that are not mitigated.

### **RECOMMENDATION**

E7. Based on our review, the requirements for Final Approval of the site improvements can be met. Therefore, we recommend approval, subject to compliance with UDOT's requirements and the proposed LID plans being reviewed (revised, if necessary) and verified prior to the pre-construction meeting.

**Commissioner Johnson moved to approve Final Site & Improvement Plans for Style Street Studios located at 2526 E South Weber Drive based on the following conditions:**

- 1. City Planner, Barry Burton's review of 1 December 2020.**
- 2. City Engineer, Brandon Jones review of 7 December 2020.**

**Commissioner Walton seconded the motion. A roll call vote was taken. Commissioners Boatright, Osborne, Walton, and Johnson voted aye. The motion carried.**

**Commissioner Walton moved to open the public hearing for Preliminary Site Plan, Improvements & Amended Development Agreement for: The Lofts at Deer Run located at approx. 7870 S 2700 E by Developer Joseph Cook of Deer Run Development LLC. Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Boatright, Osborne, Walton, and Johnson voted aye. The motion carried.**

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

**Public Hearing and Action on PRELIMINARY Site Plan, Improvements & Amended Development Agreement for: The Lofts at Deer Run located at approx. 7870 S 2700 E by Developer Joseph Cook of Deer Run Development LLC:** Commissioner Osborne reported emails were received from Jeffrey Eddings and Paul Sturm concerning this agenda item. (See Attached). He pointed out Mr. Eddings is concerned about the water detention basin and making sure it is going to be grass, landscaped, and sprinklers. The plans on page 552 still show it as rock. He acknowledged the email received from Paul Sturm of 16 December 2020. City Engineer, Brandon Jones discussed Mr. Sturm's concerns with the updated traffic study and recommended the developer's traffic engineer, Joe Perrin address Mr. Sturm's concerns.

Mr. Perrin read from Paul Sturm's email of 16 December 2020 which is as follows:

**Item #10** – Packet Pages 102 of 561 – Lofts Traffic Study: *During the recent Lofts presentation to the SWC City Council, the council requested of A-Trans to present a comparison of the theoretical versus actual travel flow for the Lofts project. I did not see this presented anywhere*

*in this current presentation! Members of the City Council had conducted on-site surveys at other similar developments and had stated their concerns.*

Mr. Perrin reported that was for the shared parking and there is no longer a need for shared parking because of the revised plan. He referenced ITE Manual which states during peak period demand it ranges from .59 vehicles per dwelling unit to 1.94 vehicles per dwelling unit.

Mr. Perrin read from Paul Sturm's email of 16 December 2020 which is as follows:

**Item #11** – Packet Pages 102 and 158 of 561 – Lofts Traffic Study: *Why do the Table of Figures for the May 2020 and November 220 vary?*

Mr. Perrin relayed at one time the plan included a day care with origin destinations and now after working with Brandon Jones, there is a different origin destination.

Mr. Perrin read from Paul Sturm's email of 16 December 2020 which is as follows:

**Item #12** – Packet Page 160 and 161 of 561 – Lofts Proposed Development Agreement – Traffic Study: *I Introduction and Summary (Page 160)*

*a) I do not agree with the statement made in the third bullet. How does one know that there will not be left out access? Who would enforce a "No Left Turn" access?*

*III Introduction and Summary (Page 161)*

*b) There should also be a fourth bullet to address Deer Run Drive traffic that will be turning left in front of the Lofts property. Sight distance from Deer Run Drive to 2700 E. could be a safety issue and should be addressed in the Traffic Study.*

Mr. Perrin discussed installing signage for “no left turn” and a pork chop island at the driveway to make a left turn less desirable. Ultimately, law enforcement is responsible for enforcing. He addressed the concern with sight distance for those turning left on to Deer Run Drive. He described the process of creating a site triangle which is based upon the speed of the road and location of the buildings.

Mr. Perrin read from Paul Sturm's email of 16 December 2020 which is as follows:

**Item #13** – Packet Page 168 of 561 – Lofts Traffic Study – Figure 5

*Does not address the traffic from Deer Run Drive. I believe the 5% shown for traffic on 2700 E. is too low considering the number of houses south of Deer Run Drive that use 2700 E.*

Mr. Perrin explained it is estimated that this development will be send 5% of the traffic south and 90% will leave this subdivision and go north.

Mr. Perrin read from Paul Sturm's email of 16 December 2020 which is as follows:

**Item #14** – Packet Pages 169 to 173 of 561 – Lofts Traffic Study – Figures 6 & 8 & 9.

*These figures do not address the middle access point with respect to any traffic patterns. I believe that this report is inconsistent and not complete. Why was the middle access point not addressed? The middle access point needs to be addressed because of the construction phasing proposed. (See Packet Page 526.)*

Joe reported the traffic is assigned at two access points and because of the size and type of development this will provide sufficient capacity.



Mr. Perrin read from Paul Sturm's email of 16 December 2020 which is as follows:

**Item #15** - Packet Page 192 of 561 - Lofts Study

- a) *The third access point, once again was not addressed in this updated traffic report. (Please see Paragraph 15) above.)*
- b) *The traffic impact of Deer Run Drive and the 2700 E. traffic coming from south of Deer Run Drive needs to be addressed from a safety aspect.*

Joe reported approximately 5% from our development will be traveling on Deer Run Drive. Any time you add an access onto a road, you will increase potential for safety, but individuals need to pay attention.

Commissioner Osborne asked if the study considers snow on 2700 East. Joe replied that is more of a maintenance issue. He pointed out they are extremely below capacity.

Mr. Perrin read from Paul Sturm's email of 16 December 2020 which is as follows:

**Item #29** - Packet Pages 524 to 527 - Lofts Engineering

- a) *These drawings clearly indicate a middle access driveway for the development, yet A-Trans does not address the traffic in their assessments.*
- b) *Packet Pages 169 to 173 of 561 shows the middle access driveway, the traffic pattern of which was not addressed.*
- c) *Packet Pages 525 thru 527 (Site Plan Phases clearly show the middle access driveway. This is of particular importance due to the Phase 2 development that use the "middle" access driveway location.*

Joe reported it was not overlooked. There is not more traffic from the site that magically disappeared. They put the traffic at the two locations so they it can be shown that this works fine too.

Fred Cox explained the first building has been moved away from the corner and the grade won't be raised. There will not be any additional problems with someone coming out of Deer Run Drive. He pointed out he has a lot of confidence in Joe Perrin as a traffic engineer.

Commissioner Osborne addressed Jeffrey Eddings concerns regarding the water detention basin and making sure it is going to be all grass, landscaped and have sprinklers because the plans on page 552 still show it as rock. Joseph Cook replied that is the intent for the water detention basin.

**Commissioner Boatright moved to close the public hearing for Preliminary Site Plan, Improvements & Amended Development Agreement for: The Lofts at Deer Run located at approx. 7870 S 2700 E by Developer Joseph Cook of Deer Run Development LLC . Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Boatright, Osborne, Walton, and Johnson voted aye. The motion carried.**

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

Commissioner Osborne asked why no elevators. Fred Cox replied they don't need an elevator as per Fair Housing because there is an accessible main level.

Commissioner Walton thanked the developer for working with the City and trying to make sure everything works. He asked why the architecture changes. Fred replied after previous meetings they decided to include pitch roofs, dormers, etc. to help it look more like a resort because of the location to the canyon. Commissioner Walton would like to see more variety between the buildings. He commented this development will showcase South Weber City and he does not want to sell it short. He likes the concept and the color but wants to make it great.

City Planner, Barry Burton discussed a conversation he had with Mayor Sjoblom earlier this week. He explained she is concerned with the large expanse of stucco and recommended extending the stone.

Commissioner Osborne did not see a place for washer and dryer. Fred pointed out the locations that can be used for washer and dryer on the plans. Joseph Cook reviewed slides of various architecture styles. Commissioner Boatright pointed out architecture styles are subjective and what someone may like someone else may not. He understands this developer has already made a lot of changes. Commissioner Johnson commented originally there was to be 50/50 residential and commercial. He discussed the developer's comments about being a resort development, and South Weber City is not a resort community. He does not like the white buildings.

Fred Cox pointed out they have adjusted based on comments from the City Council as well. Joseph Cook expressed the City Council was not in favor of shared parking. He expressed they have added more walkable areas, lowered the number of units, and re-designed the plans. He feels they have made significant changes. Commissioner Osborne asked about phasing. Leland Martineau replied there is a certain amount of retainage that will coincide with the rear two buildings.

#### **City Planner, Barry Burton's review of 8 December 2020 is as follows:**

##### **Zone Compliance:**

**PL1.** The C-O zone allows up to 25 dwelling units per acre. The proposed development contains 2.914 acres in the C-O zone allowing up to 72 units. This latest proposal contains 60 dwelling units.

**PL2.** There is no specified amount of commercial floor area required by the code, however, there is a development agreement in place that requires at least 27,000 square feet. This plan includes 3,985 square feet and would require an amendment to the existing development agreement. A proposed amended development agreement accompanies the proposal.

**PL3.** There are no specific lot requirements.

**PL4.** There is a maximum front setback of 10' for buildings fronting on the public street. This provision has been met.

**PL5.** The only other setback requirement is that there be a minimum of 20' from a structure to a neighboring residential zone. This requirement has been met.

**PL6.** Parking requirements have been addressed in the approved development agreement with 164 stalls required. This requirement was based on a different project layout and composition. This plan includes 164 parking spaces with 12 fewer residential units and the elimination of 28,415 square feet of commercial space. This plan, as a complete project, meets the parking requirements of Chapter 8 of the Zoning Ordinance including guest parking requirements and without any shared parking.

Phase 1 meets the parking requirements for that phase, 62 spaces. Phases 1 and 2 together are only 2 spaces shy of the required 109 spaces. This is because the underground parking in Building B will not actually be available until Phase 3 is complete and because; due to grades, it would be very difficult to provide more parking with Phase 2.

When Phase 3 is complete, the required parking will all be in place.

**PL7.** Architectural/Site Plan review by the Planning Commission is required for this project as specified in the C-O zone. According to Title 10, Chapter 12 of the City Code; the Planning Commission “shall determine if the proposed architectural and development plans submitted are consistent with this Chapter (Chapter 12) and with the purposes and objectives of this Title (Title 10)”. This can be done simultaneously with the Conditional Use review.

This new plan includes building elevations that have considerably more distinctive architectural features than previous plans. This architectural style includes more features of visual interest than previous plans including a pitched roof. It all seems more appropriate to South Weber and visually more appealing. (See PL9)

**PL8.** The C-O zone allows a maximum building height of 3-1/2 stories or 50'. All structures are under the 50' height restriction and are 3 stories in height. By definition of building height, Building A is only 38' in height and Buildings B & C could be considered 38' as well if you determine the front of the buildings to be the side that faces the public street, 2700 East.

**PL9.** Section 10-5N-6 D requires that 100% of the first floor facing a street must be commercial space. **This plan has 50% of the first floor of Building A as commercial space with the rest being residential. This is an issue that would have to be addressed in the amended development agreement.**

**PL10.** There are Special Provisions and Limitations in Section 10-5N-11 of the code. I will list each of those provisions with an opinion as to whether it has been met. Some of this is subjective, opinion of the observer, other parts are clearly objective.

The following are requirements of Section 10-5N-11 A

*1. Wherever practical, buildings shall incorporate arcades, roofs, alcoves, porticoes, and awnings that protect pedestrians from the rain and sun.*

There are balconies on the floor above each street side entry that provide shelter.

*2. Trash storage areas, mechanical equipment, transformers, meters, and similar devices are not permitted to be visible from the street. Where site constraints would otherwise force these uses into visible locations, they shall be screened by decorative walls, earthen berms, landscaping, or architectural treatments capable of screening views from streets and sidewalks. If in rooftop locations, mechanical equipment shall be screened by roof components, parapets, cornices, or other architectural features.*

Dumpsters are located within enclosures and when doors are closed would not be visible from the street. **We still do not know the location of mechanical equipment**

and cannot address whether it will be adequately screened. This is an issue we can address with final plans.

*3. There shall be no outside storage of materials or equipment, other than motor vehicles licensed for street use except as specifically approved by the planning commission in conjunction with a conditional use application.*

No outside storage is shown on the plans.

*4. Outdoor dining, seating, signage, and sales can be approved in conjunction with a conditional use application. Outdoor uses shall not be materially detrimental to the public health, safety, or welfare, nor injurious to property or improvements in the immediate vicinity of the use. The use shall be placed so as not to disrupt the traffic flow of vehicles or pedestrians into or on the site. Planning commission can at their discretion, place time limits on outdoor dining, seating, and signage based on intensity of use, and the impacts the use may pose to the development.*

The only outdoor seating would be on the balconies and patios of residential units which cause no traffic flow disruption.

*5. Primary building orientation shall be toward the street. Buildings that are open to the public and are within thirty feet (30') of the street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be attractive and functional, be a distinctive and prominent element of the architectural design and shall be open to the public during all business hours.*

All commercial space is within 30' of the street. The facade of the commercial space is distinguished by materials and the amount of glass. I believe they are distinctive and will be readily perceived as commercial entrances.

*6. Buildings shall incorporate exterior lighting and changes in mass, surface, or finish giving emphasis to entrances.*

Each commercial entrance has a significant amount of glass that gives emphasis. There is a light fixture mounted at 13' on the wall above each commercial entrance.

*7. Buildings shall provide a clear visual division between all floors. The top floor of any building shall contain a distinctive finish, consisting of a roof, cornice, or other architectural termination.*

Bottom floor commercial areas are clearly distinguished by different materials from residential floors. Residential floors are adequately distinguished via balconies and window placement and differing materials. Developers have included a colored version of the sign plan that shows a color scheme typical of all buildings. Colors are primarily whites and grays.

*8. The facade of every residential floor greater than thirty (30) linear feet with street frontage shall incorporate features designed to provide human scale and visual interest. Compliance can be achieved through balconies, alcoves, or wall segments create at least a two-foot (2') variation in plane for at least ten (10) linear feet within each thirty-foot (30') segment of facade.*

There are regular jogs in the exterior walls that break up the façade into segments smaller than 30'. There are also balconies that add human scale and interest on all residential units. There are also dormers on the roof that break up the roofline.

*9. In paseos, plazas, and courtyards, lighting shall incorporate fixtures and standards designed for pedestrian areas.*

There is a courtyard between Buildings B & C that has a pedestrian appropriate area light. There is no other lighting directly associated with pedestrian areas, however, there are exterior lights on the buildings that will provide lighting for all adjacent pedestrian areas.

*10. All new utility transmission lines shall be placed underground where feasible, or behind structures to minimize visual impact.*

There are no new utility transmission lines. All interior utilities are underground.

#### *10-5N-11 B*

*Ground Floor Requirements: At least seventy five percent (75%) of the linear frontage of any ground floor, nonresidential wall with street frontage shall incorporate windows, doors, or display windows. Ground floor retail windows must remain free of signs and must not be tinted.*

At least 75% of the linear frontage of ground floor commercial space incorporates windows. We will not know of tinting until building permits are requested. No signs are planned in windows, but this will be an ongoing enforcement issue for temporary signs.

#### *10-5N-11 C*

*First Floor Requirements: Multi-story buildings shall have the first floors with a minimum ceiling height of twelve feet (12'). Multi-story buildings designed for nonresidential uses on the first floor shall have walls, partitions, and floor/ceiling assemblies separating dwelling units from other spaces with a sound transmission classification (STC) of at least fifty (50) for airborne noise.*

First floors have 13'8" ceiling height. Sound transmission classification of commercial space will need to be determined when building permit applications are received.

#### *10-5N-11 D*

*Accessory Living Quarters: Where accessory living quarters are provided as permitted herein, no window shall be permitted in any wall of the same which is located within eight feet (8') of a side property line.*

There are no residential unit windows within 8' of any property line.

*10.5N.12 Landscaping Requirements*

*A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system to maintain such landscaping. Drought resistant plants are encouraged. Landscaping shall meet the requirements of SWM 10.15.*

*For use of exceptional design and materials, as determined by the planning commission, the landscaping may be reduced to ten percent (10%) of the total site.*

The site contains 25.8% landscaping. The plan contains a good selection of shrubs, trees and turf that will provide interest and beautification to the site.

*B. Buffer Yard Landscaping: Buffer yard landscaping shall be required between the C-O zone and all residential and agricultural zones and shall meet the requirements of SWMC 10.15.*

A buffer yard is required on the southwest sides from Deer Run Drive to the canal. The plans indicate there will be a combination of 6' masonry wall and concrete retaining wall along this border. The height of the retaining wall varies, but where it is less than 6' high, it will have masonry on top to complete the 6' height. There will be either a 72" or a 42" screening fence on top of the retaining wall where needed to screen adjacent parking areas.

*C. Street Trees: Street trees shall be required and meet the requirements of SWMC 10.150.060D, "Park Strip Trees".*

The required street trees are shown on the plans.

**Conditional Use:**

**PL11.** The Conditional Use Chapter 10-7 indicates:

*D. Standards for Approval: No approval shall be granted unless the planning commission is satisfied that the applicant will meet all the conditions as set forth in this chapter and as stated below:*

*1. The proposed use shall not generate enough traffic to be detrimental to the immediate neighborhood.*

The traffic study indicates no change to service levels on 2700 East and South Weber Drive.

*2. The proposed development shall not overload the carrying capacity for which local streets were designed.*

The traffic study indicates carrying capacities will not be overloaded.

*3. Internal traffic circulation shall not adversely affect adjacent residential properties.*

*4. Parking facilities location shall not adversely affect adjacent residential properties.*

*5. Parking facilities shall be effectively screened from adjacent residential properties.*



Internal traffic circulation and parking should have no adverse effect on adjacent residential properties provided parking areas are sufficiently screened to prevent headlights from shining into those homes. See comments on **PL 10-5N-12 B**.

*6. The relationship of structures and parking shall be complementary to the aesthetics of the general area.*

This requirement is too subjective for comment.

*7. The proposed sign(s) shall not adversely affect the development itself or the overall aesthetics of the general area.*

There is a sign plan that does not give specifics of sign sizes but indicates there will be one ground (monument type) sign and some flat signs and some projecting for the commercial space; all of which will meet the requirements of Class 5 signs as allowed in the C-O zone.

*8. The proposed landscaping shall be sufficient to enhance the aesthetic acceptability of the development.*

The landscape plan is sufficient and proposes a good variety of turf, trees and shrubs in a design that will enhance the beauty of the site.

*9. The project shall be landscaped and maintained with a sprinkler system. (Ord. 10-03, 3-23-2010)*

**No irrigation plan has been submitted. This will need to be done for final approval.**

**PL12.** There are also Special Requirements and Conditions found in Section 10-7-10. These requirements are very subjective in nature. I believe the proposal meets these requirements.

### **Project Plans:**

#### **PL13.** Phasing:

The proposed phasing of the project works well except for the aforementioned issue with parking. It appears landscaping will proceed along with each phase. Landscaping of the detention basin should be done as part of Phase 1.

#### **PL14.** Condominium Plats:

These plats look complete and appropriate for assigning ownership to all the private and common spaces.

#### **PL15.** Recommendation:

With the reduction of number of residential units, reduced amount of commercial space and improved architectural character; this proposal is far more appropriate for South Weber than the previous proposals. The project meets the parking requirements of

Chapter 8 with no shared parking. This proposal meets the buffer yard requirements without any variance needed.

There are a few details that need to be worked out before final approval, but they aren't significant. I recommend granting Preliminary Approval with the condition developers address missing information for final approval.

**City Engineer, Brandon Jones review of 7 December 2020 is as follows:**

**E1. DEVELOPMENT INFORMATION PROVIDED**

Our office has completed a review of the following plans, studies, documents, agreements, letters, etc. (including previous revised versions):

**A. Will Serve Letters:**

- i. CenturyLink, dated November 4, 2019
- ii. Comcast, dated November 6, 2019
- iii. Dominion Gas, dated November 4, 2019
- iv. Rocky Mountain Power, dated November 1, 2019
- v. Weber Basin Water Conservancy District, dated December 12, 2019

**B. Title Report:**

- i. First American Title dated July 30, 2019.

**C. Development Agreement:**

- i. Development Agreement between Deer Run Investments, LLC, Deer Run Plaza LLC, and South Weber City, recorded on July 1, 2019.
- ii. Draft Amended Development Agreement, dated November 23, 2020.

**D. Traffic:**

- i. Traffic Impact Study by A-Trans (original study) dated October 2019.
- ii. Traffic Impact Study by A-Trans (new revised study), dated May 2020.
- iii. Traffic Impact Study by A-Trans (new study based on new layout), dated November 2020.

**E. Geotechnical and Geologic (Soils):**

- i. Geotechnical Study by CMT Engineering (original study), dated August 5, 2019.
- ii. Phase 1 Environmental Site Assessment by CMT Engineering, dated April 10, 2020.
- iii. Geotechnical Study Addendum #1 by CMT Engineering, dated April 13, 2020.
- iv. Reconnaissance-Level Geologic Hazards Assessment by CMT Engineering, dated April 13, 2020.
- v. Geotechnical Study Addendum #2 by CMT Engineering, dated May 5, 2020.

**F. Surveyor and Engineering:**

- i. Record of Survey by Great Basin Engineering, recorded August 28, 2020.
- ii. Preliminary Overall Plat by Entellus Engineering, dated November 25, 2020.
- iii. Preliminary Condo Plats for Parcels A, B, C, & D, by Entellus Engineering dated November 25, 2020.
- iv. Preliminary Site and Improvement Plans by Entellus Engineering, dated December 2, 2020.

**G. Retaining Walls:**

- i. Retaining Wall Calculations and General Details by Aldave & Associates, dated April 17, 2020.

**H. Landscaping:**

- i. Preliminary Landscape Plans by RDL Design Company, dated December 3, 2020.

**I. Architectural:**

- i. Preliminary Building Floor Plans, Elevations, Lighting Plan, and Sign Plan by Fred Cox Architect dated October 16, 2020, November 20 and 21, 2020.

**J. Secondary Water (Irrigation):**

- i. Review Letter from WBWCD, dated January 5, 2020, indicating conditional approval.
- ii. Service Connection Takeover Agreement with WBWCD, dated April 29, 2020 (signed by the Developer).
- iii. Letter from SWWID with requirements for irrigation of the detention basin parcel.

**K. Canal:**

- i. Review Letter from JUB Engineers on behalf of the Davis & Weber Counties Canal Company (D&W Canal), dated March 9, 2020, indicating that all comments had been addressed.
- ii. D&W Canal Encroachment License Agreement, recorded July 14, 2020.

**E2. EVALUATION**

A. Will-Serve Letters. The required will-serve letters have been provided.

B. Title Report. All land use restrictions have been accounted for. There is nothing out of the ordinary to report.

C. Draft Amended Development Agreement. In order to match the proposed changes to the new layout and development plan, a few changes need to be made to the recorded Development Agreement. This Agreement would replace the original recorded agreement. It leaves all previous requirements in place with the following adjustments:

- i. Update the acreage and corresponding legal descriptions in Exhibit A to match the Record of Survey by Great Basin Engineering, recorded on August 28, 2020.
- ii. Remove any reference to or allowance for shared parking.
- iii. Lower the density to a total of 60 residential units.
- iv. Remove the requirement for a minimum square footage of commercial space.
- v. Remove the requirement for 100% of the ground floor fronting 2700 East to be commercial space; therefore allowing a portion of that floor to be residential.
- vi. Require parking to comply with current City Code (Title 10, Chapter 8).
- vii. Update Exhibit B with new Concept Plan.

D. Traffic. The newly proposed layout and development plan removes the Day Care, reduces the residential units from 72 to 60, and reduces the commercial space from 32,400 sf to 3,985 sf. Based on the new development plan the projected daily trips have been reduced from 1,730 to 590 (66% reduction), and the increase to the overall traffic has been reduced from 34% in the AM to 9%, and from 43% in the PM to 11%. The current Level of Service (LOS) for the 2700 E / 7800 S intersection is LOS B, with the longest delay being 11.9 seconds. When the development is completely full, the delay is calculated to increase by 0.6 seconds to a total of 12.5 seconds. Even with all future traffic projected through 2025, the delay only increases by 1.6 seconds to a total of 14.1 seconds, which is still LOS B.

Comments:

- The Transportation Capital Facilities Plan (March 2019 by Horrocks Engineers) uses a LOS C for roadways and LOS D for intersections, as it relates to planning and street capacities. With the LOS projected to remain at LOS B, the traffic from the development is well within the bounds the City has set.

E. Geotechnical & Geologic. The Geotechnical, Geologic, and Phase I Environmental Site Assessment studies provided by CMT Engineering have analyzed all provisions of Title

10, Chapter 14 (Sensitive Lands Development Regulations). All recommendations in these studies must be followed, but the following are mentioned as note-worthy:

- i. Rock retaining walls are not allowed as structural retaining walls. Therefore, only block MSE (mechanically stabilized earth) walls and reinforced concrete retaining walls are proposed. The design for these retaining walls must be stamped by a licensed professional engineer. Drainage from these retaining walls cannot be drained on to other properties without their permission.
- ii. All unsuitable soils will be removed, and structural fill installed.
- iii. A former service station was located just east of the property. In 1993 three underground storage tanks (USTs) were removed. A “petroleum release” (leak) was found coming from one or more of the USTs. The site was monitored, and further testing and investigation was performed in 1994. Based on the results of the testing the UDEQ issued a closure (No Further Action) letter on July 17, 1995.

Comments:

- The Geologic Hazards Assessment identified that this development is located in a “High” radon susceptibility zone. The Developer has agreed to install a Radon mitigation system with the construction of each building.

F. Surveyor & Engineering. The plats and improvements plans are sufficient for preliminary approval. See additional comments relative to code and standards compliance below.

G. Retaining Walls. See Section 2Ei above.

H. Landscaping. The preliminary landscape plans provided are sufficient for preliminary approval. See additional comments relative to code compliance below.

I. Architectural. See comments relative to code compliance below.

J. Secondary Water (Irrigation). Weber Basin Water Conservancy District (WBWCD) will serve the main portion of the development above the canal. The detention basin area (below the canal) may be served by WBWCD or South Weber Water Improvement District (SWWID). This will need to be finalized with the appropriate approval letter from the service district prior to final approval and shown accordingly on the plans.

K. Canal. The Davis & Weber Counties Canal Company (DWCCC) borders the development on the north and west sides. DWCCC has verbally approved grading on their property as shown on Sheet C502. The Development is also proposing to cross the canal with a storm drain and sewer main. This crossing has been reviewed and approved by the DWCCC. Any work done in the DWCCC property (R/W) must comply with their requirements.

L. Variance Request (none). The previous development plan was requesting a variance to the buffer yard requirements. There is no variance request being made with this development plan. All aspects of the landscape buffer yard are being met (see Barry Burton’s 12.8.20 review memo).

### **E3. CITY CODE COMPLIANCE**

A. The following sections of City Code apply and have been reviewed relative to this development.

- i. 10-5N. Commercial Overlay Zone (C-O) – Applicable to this development but was repeal on 9-24-2019.
- ii. 10-7. Conditional Uses
  - 1. 10-7-3: Basis for Issuance
  - 2. 10-7-5: Nonresidential Zones
  - 3. 10-7-6: Security Agreement for New Construction in Nonresidential Zones

## 4. 10-7-10: Special Requirements and Conditions

- iii. 10-8. Off Street Parking and Loading
- iv. 10-9. Sign and Lighting Regulations
- v. 10-11. Supplementary and Qualifying Regulations
- vi. 10-12. Architectural Site Plan Review
- vii. 10-14. Sensitive Lands Development Regulations
- viii. 10-15. Landscape Regulations
- ix. Title 11 – Subdivision Regulations (all Chapters)

B. ACTION NEEDED. The following are sections where the Planning Commission needs to decide or give direction.

- i. 10-5N-3 and 10-12 Architectural Site Plan Review. The Planning Commission shall determine if the proposed architectural and development plans submitted are consistent with this Chapter and with the purpose and objectives of this Title. The Planning Commission may also refer the plans to one or more expert consultants if the Planning Commission deems it necessary.
- ii. 10-7-3 Basis for Issuance. The Planning Commission needs to read through the requirements of this section and determine if they feel the requirements of this section have been met.
- iii. 10-7-5F Planning Commission Action. The Approved Development Agreement has set the hours of operation as 5:00am to 6:00pm in order to allow for shared parking. Any additional conditions needed to mitigate detrimental impacts to surrounding properties should be identified.
- iv. 10-8-2C.1 Access. The Development is proposing to have the main entrance by Building A (the building with commercial space) be 36' in width and the other two entrances be 26' in width. Given the access needs of the new layout, we feel that the 3 accesses proposed are needed and are critical to good circulation.

C. Parking. With Section 10-8-5 of the City Code used as the basis for calculating the number of parking spaces required, the following table summarizes the calculation (assuming 2 – 4 employees per commercial unit: 4 total units):

<b>Parking Requirement</b>			
<b>Use</b>	<b>Requirement</b>	<b>Units</b>	<b>Required Spaces</b>
1. Residential – Dwelling units	2 spaces per dwelling unit	60 units	120
1. Residential – Visitor parking	1 space for every 3 dwelling units	60 units	20
6. Office space – Area	2 spaces per 1,000 sf	3,985 sf	8
6. Office space – Employees	1 space for each employee per shift	8 - 16 employees	8 – 16
<b>Total Required</b>			<b>156 – 164</b>
<i>Total Provided</i>			<i>164</i>

What is being proposed meets the City Code.

**E4. GENERAL**

A. Approval Letters. Following Preliminary Approval, Final plans need to be submitted to WBWCD and DWCCC and an approval letter provided to the City indicating that the improvement plans meet their requirements.

B. Fire Flow. A fire flow test was conducted by Public Works on December 24, 2019. It resulted in a fire flow of 3,083 gpm at a residual pressure of 20 psi. It should be noted that prior to any construction on a building structure, the water infrastructure to the last fire hydrant covering that structure must be in place and the required fire flow provided (actual fire flow verified by flow test and approved by the Fire Marshal - AHJ).

**E5. PLATS**

A. There is one overall plat, and individual condo plats associated with each building. These plats comply with the requirements in the code. We have no further comments.  
2020

**E6. IMPROVEMENT PLANS**

A. All on-site improvements are private and will be maintained by the Owner.

B. The plans show phasing associated with each building. All the utilities necessary for each phase will be installed as part of that phase. This will be needed for final approval.

C. We have no further comments.

**E7. RECOMMENDATION**

Based on compliance with the applicable City Codes and City Standards, we recommend granting Preliminary Approval.

**Commissioner Walton moved to approve the Preliminary Site Plan, Improvements & Amended Development Agreement for: The Lofts at Deer Run located at approx. 7870 S 2700 E by Developer Joseph Cook of Deer Run Development LLC subject to the following conditions:**

- 1. City Planner, Barry Burton's review of 8 December 2020.**
- 2. City Engineer, Brandon Jones review of 7 December 2020.**

**Commissioner Boatright seconded the motion. A roll call vote was taken. Commissioners Boatright, Osborne, Walton, and Johnson voted aye. The motion carried.**

**REPORTS:**

**Commissioner Osborne:** He thanked Barry Burton for his help and appreciates all he has done for the City.

**Commissioner Walton:** He reported the Code Committee is meeting weekly and working diligently. He thanked Barry Burton for the legacy he has left for the City.

**Commissioner Johnson:** He wished Barry Burton a great retirement. Canyon Meadows Park plan will be quite nice.



**Commissioner Boatright:** He thanked Barry Burton for his service for the City.

**City Planner, Barry Burton:** He appreciates his association with city staff and the Planning Commission.

**City Engineer, Brandon Jones:** He respects Barry Burton and commended him for all he has done for South Weber City.

**City Attorney, Jayme Blakesley:** He thanked Barry Burton for the opportunity to work with him and knows he will be missed.

**City Councilman Blair Halverson:** The conditional use permit for the Elite Training Center was approved. Canyon Meadows Park Alternate #3 was approved.

**ADJOURNED:** Commissioner Johnson moved to adjourn the Planning Commission meeting at 7:25 p.m. Commissioner Walton seconded the motion. Commissioners Boatright, Osborne, Walton, and Johnson voted aye. The motion carried.

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

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

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

**Comments to and Questions for  
South Weber City Planning Commission  
For 17Dec20 Meeting  
by Paul A. Sturm**

**Agenda Item 6 - Public Hearing and Action on PRELIMINARY Site Plan, Improvements & Amended Development Agreement for: The Lofts at Deer Run located at approx. 7870 S 2700 E by Developer Joseph Cook of Deer Run Development LLC**

After a review of the 524 pages in the Packet regarding the Lofts project, I have the following questions and comments. They are being presented with a reference to the page in the packet:

- 1) Packet Pages 38 and 39 of 561 - Barry Burton preliminary review of 8Dec20.
  - a) PL2 - The original Development Agreement showed 27,000 sf of commercial in this C-O Zone property. The current proposal shows only 3,985 sf of commercial.
  - b) PL9 - The C-O zone requires several design criteria. Some of these are that 100% of the first floor (Building A) must be commercial, and the commercial must have an entrance to the main street.
- 2) Packet Page 45 of 561 - Paragraph D - Brandon Jones  
The Day Care was used by Laurie Gale as the primary rationale for changing the zoning on this property from C-H to C-O. We have now lost more property for commercial development.
- 3) Packet Page 56 of 561 - Lofts Application  
This application is not dated or signed! This is the first time the citizens have seen this document and there have been changes to the principals listed.
- 4) Packet Page 73 of 561 - Lofts Taxes  
Have the taxes been paid on the five properties for 2019? The Title Report was not updated for this presentation.
- 5) Packet Pages 70 and 75 of 561 - Lofts Insurance Amounts  
Page 70 shows \$890,000 and Page 75 shows \$660,000. Why the difference?
- 6) Packet Page 82 of 561 - Lofts Topography  
The figure shows that the western portion of the property is approximately 4604 elevation where Building B is proposed. I believe that this is lower than the drainage inlet under the canal, thus drainage will be difficult.

- 7) Packet Page 93 of 561 - Lofts Proposed Development Agreement
  - a) The introductory paragraph shows Deer Run Plaza, LLC as the "Owner". This is no longer the case as shown on Davis County Property Search records, thus this is an error for this amended legal document!
  - b) This impacts Paragraph 12 of the Development Agreement "Owner". Since these properties were purchased by Deer Run Investments, LLC, this entity should be listed as the "Owner"
  - c) The same is true for Packet Page 99 of 561.
  - d) This fact of ownership by Deer Run Investments, LLC for this property is also shown on Page 284 of 561 in the CMT Engineering report.
- 8) Packet Page 94 of 561 - Lofts Proposed Development Agreement - Item #5 - Building permit approval and occupancy will not be contingent upon sewer capacity.

This concern has been mentioned in nearly every Public Comment for this Lofts property and it is still there! If usage from the Lofts property exceeds the sewer capacity, who would get flooded with sewage. This happened several years ago when a sewer system was improperly installed in the subdivision off of 2700 E., south of Deer Run Drive. Multiple residences on Deer Run Drive had raw sewage flood their basements.
- 9) Packet Pages 94 & 95 of 561 - Lofts Proposed Development Agreement - Item #6 - Density

"The Development will be limited to not more than sixty (60) new residential units. The Development shall include a ground floor commercial component fronting 2700 East Street. However, only that portion of the Development fronting 2700 East Street, not one-hundred percent (100%) of the floor area on the first level of that structure, must be commercial."

  - a) This statement does not include any minimum percentage!
  - b) As shown in succeeding drawings, if there are 8 businesses, they cannot all face the Frontage Road (See Packet Page 511), yet the drawing on Packet Page 559 shows four building entrances.
- 10) Packet Page 102 of 561 - Lofts Traffic Study

During the recent Lofts presentation to the SWC City Council, the council requested of A-Trans to present a comparison of the theoretical versus actual travel flow for the Lofts project. I did not see this presented anywhere in this current presentation! Members of the City Council had conducted on-site surveys at other similar developments and had stated their concerns.
- 11) Packet Pages 102 and 158 of 561 - Lofts Traffic Study

Why do the Table of Figures for the May 2020 and November 2020 vary?

- 12) Packet Page 160 and 161 of 561 - Lofts Proposed Development Agreement - Traffic Study
  - I Introduction and Summary (Page 160)
    - a) I do not agree with the statement made in the third bullet. How does one know that there will not be left out access. Who would enforce a "No Left Turn" access?
  - III Introduction and Summary (Page 161)
    - b) There should also be a fourth bullet to address Deer Run Drive traffic that will be turning left in front of the Lofts property. Sight distance from Deer Run Drive to 2700 E. could be a safety issue and should be addressed in the Traffic Study.
- 13) Packet Page 168 of 561 - Lofts Traffic Study - Figure 5  
Does not address the traffic from Deer Run Drive  
I believe the 5% shown for traffic on 2700 E. is too low considering the number of houses south of Deer Run Drive that use 2700 E.
- 14) Packet Pages 169 to 173 of 561 - Lofts Traffic Study - Figures 6 & 8 & 9.  
These figures do not address the middle access point with respect to any traffic patterns. I believe that this report is inconsistent and not complete. Why was the middle access point not addressed? The middle access point needs to be addressed because of the construction phasing proposed . (See Packet Page 526.)
- 15) Packet Page 192 of 561 - Lofts Study
  - a) The third access point, once again was not addressed in this updated traffic report. (Please see Paragraph 15) above.)
  - b) The traffic impact of Deer Run Drive and the 2700 E. traffic coming from south of Deer Run Drive needs to be addressed from a safety aspect.
- 16) Packet Page 209 and 213 of 561 - Lofts Geotechnical Study - Elevation Relief Disconnects
  - a) Paragraph 4.1 states that "The site sits at an elevation of between approximately 4,605 and 4,655 feet above sea level. A relief of approximately 50 feet.
  - b) Paragraph 5.1 states "The overall site slopes gently to the west/northwest with a total relief on the order of about 20 feet with localized steeper shallow slopes including shallow drainages." Is the relief 20 or 50 feet?
  - c) Paragraph 5.1 also states ".. similar vacant property to the south, and by 2700 East along the east. The property to the south contains houses.
- 17) Packet Page 252 of 561 - Lofts Geotechnical Study - Hazards Analysis - Sensitive Lands  
Regarding "Sensitive Lands", this issue has been addressed several times in Public Comments to both the SWC PC and CC. I do not believe that anything regarding Sensitive lands has been presented until now and should be thoroughly reviewed. This is especially true since the update to the SWC General Plan.

- 18) Packet Page 254 of 561 - Lofts Geotechnical Study - Hazards Analysis - Earthquakes  
The following statement from this paragraph does not make sense.  
(Earthquake) Recurrence intervals for these events during the past 5,600 years are on the order of 350 years for the entire fault zone and 1,275 to 2,800 years for individual segments. I believe that these numbers are backwards since the recurrence for an individual is shorter than the entire fault zone.
- 19) Packet Page 257 of 561 - Lofts Geotechnical Study - Hazards Analysis - Slopes  
Slopes Greater Than 10% - The statement "This slope is approximately 40% to 50% with a vertical relief of about 15 feet.". The vertical relief more like 30 to 40 feet.
- 20) Packet Page 259 of 561 - Lofts Geotechnical Study - Hazards Analysis - Radon  
Radon - The report states that "Radon testing would be necessary to determine actual indoor radon levels in any future buildings at the site." This has been noted as a problem in other areas of the City, and this report does not address whether or not Radon is an issue, only to note that mitigation systems are available.
- 21) Packet Pages 259 and 268 of 561 - Lofts Geotechnical Study - Hazards Analysis - Contaminated Soils  
a) Contaminated soils were addressed in various Public Comments by residents familiar with pre-existing conditions at the site.  
b) Have any further attempts been made to obtain the missing records request information.
- 22) Packet Pages 283 and 289 of 561 - Lofts Geotechnical Study -Phase I Environmental Site Assessment - Paragraph 5.2.16 Septic Systems  
There was a gas station on/near this site. (Also see Paragraph 8.2 - Page 289 of 561 in this report which shows that South Weber #50 Texaco existed.) This gas station would have had to have a restroom. That means it would have had a septic tank since South Weber did not have a sewer system until the early to mid 1990's. There is a distinct possibility that the septic tank, as well as its drain field are still there.
- 23) Packet Page 284 of 561 - Lofts Geotechnical Study -Phase I Environmental Site Assessment - Paragraph 9.1 Owners  
This table clearly shows that the Lofts property is owned by Deer Run Investments, LLC, not Deer Run Plaza, LLC. This Information was also relayed in the response to the Proposed Development Agreement, Packet Page 93.

- 24) Packet Page 285 of 561 - Lofts Geotechnical Study - Aerial Photographs - Phase I Environmental Site Assessment - Paragraph 6.1 Property Information  
**A note** on the timing of the construction of 2700 E. 2700 E. (Frontage Road) was built in the late 1990's so as to permit the construction of the South Weber Drive interchange on US89 as well as the construction of a large parking lot in preparation for the 2002 Olympics.
- 25) Packet Page 508 - Lofts Engineering
- a) Lists "Preliminary Condo Plats for Parcels A, B, C, & D, by Entellus Engineering dated December 1, 2020
    - i) Cannot locate a "Parcel D" on any of the drawings
    - ii) Suggest standardizing terminology between the word "Parcel" (Packet Pages 509 to 523) and "Building" (Packet Pages 524 to 532, and 554 to 557) to reduce confusion while trying to differentiate what each means.
  - b) Cannot locate anything referenced as " Preliminary Site and Improvement Plans" in the document.
- 26) Packet Pages 510, 514, 518 of 561 - Lofts Engineering
- a) Building B is mislabeled as Parcel A, not Parcel B on Packet Page 514 of 561.
  - b) It appears that, In this drawing, the footprints of Buildings A & B are too close and would not meet City code regarding distances between structures and associated Fire Codes.
- 27) Packet Page 511 - Lofts Engineering
- The second floor of Parcel A is supposed to be commercial with an entrance to 2700 E., yet the drawing on this page indicates eight townhomes . It does not indicate the second floor as being commercial.
- 28) Packet Page 516 - Lofts Engineering
- The third floor drawing for Parcel B contains a unit shown as B210 in the upper right hand corner. I believe it should be labeled as B310.
- 29) Packet Pages 524 to 527 - Lofts Engineering
- a) These drawings clearly indicate a middle access driveway for the development, yet A-Trans does not address the traffic in their assessments.
  - b) Packet Pages 169 to 173 of 561 shows the middle access driveway, the traffic pattern of which was not addressed.
  - c) Packet Pages 525 thru 527 (Site Plan Phases clearly show the middle access driveway. This is of particular importance due to the Phase 2 development that use the "middle" access driveway location.



30) Packet Page 554 - Lofts Engineering - Architectural - Preliminary Exterior Signs by Fred Cox Architect, dated November 21, 2020

There is **no** drawing or diagram for exterior signage contained in this section! The only signage is shown in Packet Page 337 of 561.

31) Packet Page 559- Lofts Engineering

a) Should be shown as Building "A", not "south Building for continuity. This is the same nomenclature as was used in the description for Packet Page 555.

b) This is the first rendering that shows the stone veneer on the front of this building in accordance with the CCR for Deer Run Estates. This should be present on the front of Buildings B and C as well to be in compliance with the CCR..

#### Final Comments:

a) This version of the proposed Lofts development design is a vast improvement over any previous versions. I believe that it addresses probably 95% of the concerns from the Planning Commission, City Council, and SWC citizens. The concept of placing the lowest level of Building A being below ground has several benefits. These are: 1) lowering the overall height of the building, thus making it less objectionable, and 2) lowering construction costs by not having to excavate as much soil and providing a better soil compaction upon which to place footings and foundations.

b) There are still issues with the A-Trans Traffic Study in that they did not address all of the various traffic flows that will impact this Lofts development as mentioned in these Comments numbers 11, 13, 14, 15, and 29.