

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 9 February 2017

TIME COMMENCED: 6:30 p.m.

PRESENT: COMMISSIONERS:

Debi Pitts
Rob Osborne
Wes Johnson
Taylor Walton

CITY PLANNER:

Barry Burton

CITY ENGINEER:

Brandon Jones

CITY RECORDER:

Elyse Greiner

CITY MANAGER:

Tom Smith

Transcriber: Minutes transcribed by Michelle Clark

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

PLEDGE OF ALLEGIANCE: Commissioner Pitts

VISITORS: Margene, Bambrough, Kelly Bambrough, Judy Bambrough, DJ Bambrough, Jeremy Stoker, Kent Bambrough, Mark Staples, Dan Murray, Brent Poll, Delene Hyde, Bruce Nilson, Seth Blair, Arleen Blair, Judy Sargent, Trevor Schenck, Traci & Rose Kenny, Daren Gardner, Bryan and Janene Braden, Roger & Raelene Miller, LaRae Harper, Bo Call, Barbara Shupe, Dan Shupe, Scott Logerquist, Jarrel Coy, Lynn Poll, Cymbre Rowser, Dan Rowser, Cheryl Bambrough, Linda Byram, Monte Byram, Lindsey Stark, Kyle Shupe, Tim Grubb, Blake Terry, Becky Terry, and Tani Lynch.

APPROVAL OF MEETING MINUTES

- **December 8, 2016**

Commissioner Pitts moved to approve the meeting minutes of 8 December 2016 as written. Commissioner Johnson seconded the motion. Commissioners Osborne, Pitts, and Johnson voted yes. Commissioner Walton abstained as he was excused from the meeting. The motion carried.

APPROVAL OF THE AGENDA: Commissioner Johnson moved to approve the agenda as amended with a change to the parcel #13-023-01812 to be corrected to parcel #13-023-0182. Commissioner Walton seconded the motion. Commissioners Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

DECLARATION OF CONFLICT OF INTEREST: None

2017 Position Appointments – Chair, Co-Chair, Sketch Plan Liaison, & City Council Liaison Schedule:

Commissioner Pitts moved to appoint Rob Osborne as Planning Commission Chairperson. Commissioner Walton seconded the motion. Commissioners Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

Commissioner Walton moved to appoint Debi Pitts as Planning Commission Co-Chairperson. Commissioner Johnson seconded the motion. Commissioners Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

Commissioner Osborne moved to appoint Wes Johnson as Planning Commission Sketch Plan Liaison. Commissioner Pitts seconded the motion. Commissioners Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

Commissioner Johnson moved to approve the City Council Liaison Schedule. Commissioner Pitts seconded the motion. Commissioners Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

2017 City Council Liaison Schedule

February – Walton
March- Osborne
April- Johnson
May- New Appointment
June- Pitts
July- Walton
August- Osborne
September- Johnson
October- New Appointment
November- Pitts
December- Walton

Business Use in C-H Zone: Mountain Land Physical Therapy:

Dan Murray, 1907 N. 400 W., Centerville, UT, said the property is currently zoned C-H. Any type of service use would need to come before the Planning Commission for approval.

Jeremy Stoker, 1910 E. 7775 S., gave a brief history of Mountain Land Physical Therapy, who is interested in conducting a business in this building.

Commissioner Pitts moved to approve the business use of Mountain Land Physical Therapy as compatible in the C-H Zone. Commissioner Johnson seconded the motion. Commissioners Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

Commissioner Johnson moved to open the public hearing for consideration of closing/dead-ending west end of 6650 S. Commissioner Pitts seconded the motion. Commissioners Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

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

Public Hearing and Action: Consideration of closing/dead-ending west end of 6650 S.:

Brandon Jones, City Engineer, said 6650 South is a narrow street. He identified the street in the upcoming Old Maple Farms Subdivision. He then discussed possible cross sections for the future of 6650 S. improvements. He said based on feedback and various meetings, he has tried to put together a 50' ROW with 33" of pavement, parking on both sides, and no sidewalk. He said wider pavement will allow for safer walking on the asphalt. It will required more property for ROW. Total cost would be \$545K. He then reviewed a 40' ROW which he does not recommend. He said it would have 24" pavement, no on-street parking, and no sidewalk. Total cost would be \$480K.

Brandon said an open house was held in December 2016 to discuss options for 6650 South. Discussion included improving the street with a hammerhead turnaround. He said the option most likely was to dead end 6650 S. at the west end and install a T hammerhead.

Brandon reviewed Option 1A that has improvements to 6650 South. There would be 33" of asphalt on the entire length of the street. The curbing will help with storm drain.

Commissioner Osborne asked for public comment.

Delene Hyde, 349 E. 6650 S., said everyone was in favor of dead ending 6650 South with the upcoming soccer complex. She feels widening the road will make it more dangerous. She said there will be 200 vehicles an hour going down that road. She wonders if this is coming before the Planning Commission because of a developer. She said the increased traffic on 6650 South is a safety issue. She feels Nilson Homes shouldn't go through until the road is widened. She suggested going back to the general plan. She asked the Planning Commission to listen to the residents on that street.

Daren Gardner, 307 E. 6650 S., said not one of the Planning Commission members was at the open house. He is concerned about spending that much money on a road that no one uses.

Roger Miller, 290 E. 6650 S., said it is ridiculous to not dead end this street, especially, when there is a homeowner willing to dedicate property.

Tim Grubb, 6926 S. 475 E., discussed grandfathering and proposals. He said there is a soccer field that will bring a lot of traffic. He said we all know Maple Farms Subdivision will help with

the traffic flow. He feels dead ending 6650 South is more cost effective and a temporary fix. He said dead ending that road will lessen the impact of traffic. He said the master plan is there for a reason. He isn't sure if everyone is looking at the big picture.

Commissioner Osborne asked Delene Hyde about her vision for 6650 South when she served on the Planning Commission. Delene said she it has never been on her mind to make improvements to 6650 S. Brandon asked about installing stakes so that individuals can visually see where the road would be.

Lynn Poll, 826 E. South Weber Drive, said the soccer field is going to be done before Old Maple Farms Subdivision and he would like to know how the traffic will be handled until then.

Trevor Schenk, 6455 S. Raymond Drive, said when that soccer complex came before the City, he attended the meetings and was concerned about the increase in traffic. He said if the Planning Commission would have listened to the residents, they could have issued impact fees to the soccer complex for road issues.

Jody Schenk, 6455 S. Raymond Drive, questioned the traffic pattern for Heather Cove Subdivision and feels the Planning Commission has forgotten about them.

Trace Kenny, 463 E. 6650 S., said there will be traffic issues with soccer parents flying down that road because they are late. He doesn't have issues with water ponding in front of his home.

Gerald Coy, 401 E. 6650 S., said he is concerned about safety. He said that street has been an issue because it is narrow. He is concerned about by widening the street, creating safety issues. He is also concerned about speeding.

Cheryl Bambrough, 390 E. 6650 S., said there are school buses, driving schools, etc. using 6650 S. She thanked Commissioner Johnson for coming down to talk to the residents.

Rose Kenny, 463 E. 6650 S., said residents living along 6650 South did get building permits for their homes and they were approved. She doesn't feel that it is okay that now it is no longer okay and take land from them because minds were changed on the general plan. She gave a brief history of when they built their home and had a survey to tell them where to put the sidewalk. She is okay with the drainage issues. She said the pond has been there for 22 years and it hasn't hurt anybody including them.

Commissioner Johnson moved to close the public hearing for consideration of closing/dead-ending the west end of 6650 S. Commissioner Walton seconded the motion. Commissioners Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

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

Commissioner Johnson said he has driven 6650 South many times and it is not a safe road. He said it was built as a community road. He said after talking to residents, he said the consensus has been to dead end that road. He discussed changing the road pattern coming out of Silver Oak Lane and making it a left turn only. He said by doing that it will reduce the amount of traffic on 6650 South.

Commissioner Pitts moved to table the consideration of closing/dead-ending the west end of 6650 S. until the end of meeting. Commissioner Walton seconded the motion. Commissioners Pitts, Osborne, and Walton voted yes. Commissioner Johnson voted no. The motion carried 3 to 1.

Commissioner Walton moved to open the public hearing for Application for property located at approximately 475 E. 6650 S. (Parcels 13-023-0070 & 13-023-0182), approximately 13.173 acres, be rezoned from Agricultural Zone (A) and Residential Low Zone (R-L) to Residential Low Moderate Zone (R-LM), by applicant Bruce Nilson. Commissioner Pitts seconded the motion. Commissioners Pitts, Osborne, and Walton voted yes. Commissioner Johnson voted no. The motion carried 3 to 1.

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

Public Hearing and Action on Rezone: Application for property located at approx. 475 E. 6650 S. (Parcels 13-023-0070 & 13-023-0182), approx. 13.173 acres, be rezoned from Agricultural Zone (A) and Residential Low Zone (R-L) to Residential Low Moderate Zone (R-LM), by applicant Bruce Nilson: This application is a request to rezone property located at approx. 475 E. 6600 S. (Parcel 13-023-0070 & 13-023-0182), approx. 13.173 acres, be rezoned from Agricultural Zone (A) and Residential Low Zone (R-L) to Residential Low Moderate Zone (R-LM).

Commissioner Osborne asked if there is any public comment.

Brent Poll, 7605 S. 1375 E., said he is representing the South Weber Coalition. He discussed the pollution dumped from Hill Air Force Base. He said studies have been conducted and there is a huge amount of pollution affecting South Weber City. He asked if the Planning Commission has warned the people about this risk. He said they have a responsibility to the citizens of this City. He then discussed the arsenic found on the Poll property. He said this contamination moves through the groundwater. He would like to know who is warning people before they move in.

Delene Hyde, 349 E. 6650 S., asked about the size of the lots. Barry said it is 1.85 lots per acre. He said the overall density meets the recommendation of the master plan.

Commissioner Johnson moved to close the public hearing. Commissioner Pitts seconded the motion. Commissioners Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

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

Commissioner Johnson asked Mr. Nilson if he is the owner of parcel 13-023-0182. Mr. Nilson said it is under contract.

Commissioner Walton moved recommend approval of the application for property located at approximately 475 E. 6650 S. (Parcels 13-023-0070 & 13-023-0182), approximately

13.173 acres, be rezoned from Agricultural Zone (A) and Residential Low Zone (R-L) to Residential Low Moderate Zone (R-LM), by applicant Bruce Nilson. Commissioner Pitts seconded the motion. Commissioners Pitts, Osborne, and Walton voted yes. Commissioner Johnson voted no with stipulation that under contract doesn't tell him a lot. The motion carried 3 to 1.

Mr. Nilson said the property owners have submitted the application for rezone.

Commissioner Pitts moved to open the public hearing for Preliminary Subdivision: Application for Bambrough property (24 lots) located at approximately 475 E. 6500 S. (Parcel 13-023-0070), approximately 12.98 acres, by applicant Bruce Nilson. Commissioner Walton seconded the motion. Commissioners Pitts, Johnson, and Osborne voted yes. The motion carried.

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

Public Hearing and Action on Preliminary Subdivision: Application for Bambrough Property (24 lots) located at approx. 475 E. 6600 S. (Parcel 13-023-0070), approx. 12.98 acres, by applicant Bruce Nilson:

Commissioner Osborne asked for public comment.

Delene Hyde, 349 E. 6650 S., asked about a stub road. It was stated the stub is into the Winchester property. She asked about a possible stub to her property so that she can build. She said this developer has another out of this property to 475 East. She said if the general plan isn't working for the Planning Commission then this should be denied.

Beau Call, 1601 S. 475 E., said he is concerned about the stub to Winchester and what that will do to his future development.

Tim Grubb, 6926 S. 475 E., he is confused why the stub would go there.

Mark Staples, of Nilson Homes, said over a year ago they approached the Bambrough family concerning this property. He said they have approached Mr. Dale Winchester and at the time they weren't interested in developing. He said they have explored options and feels this plan does that. He said they have worked with the City concerning 6650 South. He said they looked at making a contribution to the City to make some improvements on 6650 if they want to. He said they have committed a contribution for any road in the City and are willing to put it up front as part of the approval process. He said they have done a traffic study and will agree a share of what our impact will be to the City. He said the price point of these homes is not starter homes.

Daren Gardner, 307 E. 6650 S., said if Mr. Nilson is going to make a contribution to the City why doesn't Mr. Nilson make an offer to the Miller's and go out 475 East.

Delene Hyde, 349 E. 6650 S., said this looks to her as bribery. She said it is on the general plan that they have that road and it needs to go to 475 East.

Mark Staples said this proposal didn't come from Nilson Homes. He said they are not in the business of bribery. This came after working with the City staff.

Stan Sargent, 6753 S. 475 E., is concerned if Mr. Nilson purchases the Miller property and it is a 600 ft. of road, what is going to happen with the snow.

Commissioner Johnson moved to close the public hearing. Commissioner Walton seconded the motion. Commissioners Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

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

Commissioner Osborne discussed needing a stub off the bottom cul-de-sac to follow the general plan. Brandon Jones, City Engineer, said the City did meet with surrounding property owners and those property owners were not interested in a stub.

Brandon Jones, City Engineer's reviewed his memo of 6 February 2017 which is as follows:

Our office has completed a review of the Preliminary Plans for the Bambrough Subdivision received, January 30, 2017. We recommend approval, subject to the following comments and items being addressed prior to final approval from the Planning Commission.

HISTORY / BACKGROUND

The Concept Meeting for this proposed development was held on July 19, 2016. Issues of storm water, street connections (6650 South, 475 East & South Weber Drive) and development of adjacent property were discussed at this initial meeting.

Due to the amount of undeveloped ground "in the backyards" of the existing homes surrounding the Bambrough property, and the potential of this development to diminish the ability of these properties to develop in the future, the Staff felt that it would be important to invite all of the surrounding property owners to a Resident Meeting (Open House style). This meeting was held on September 12, 2016. At this meeting, the residents who attended were informed of the proposed development and given the opportunity to collaborate with the developer in the use of their property, if they desired. The location for connecting roads and development along those roads was also discussed in depth. The developer followed up with a few property owners as a result of this meeting. However, in the end, no property owners were willing to work with the developer to build a connecting road to 475 East. So, as a result, the Staff gave the developer the direction to locate a stub road at a location where it appeared there was the greatest development potential.

A Sketch Plan meeting was held the following day on September 13, 2016 to discuss the results of the Resident Meeting and review what the developer proposed.

A second Sketch Plan meeting was held on December 12, 2016. The developer proposed revisions based on the previous meetings. More discussion took place and comments were given. The plans we received for review are the result of all the feedback, discussions and direction given.

GENERAL PLAN - TRANSPORTATION

Brandon stated this property is relatively unique. It is surrounded by existing homes that front 6650 South, 475 East and South Weber Drive with few locations to build connecting streets (without demolishing an existing home). The Vehicle Transportation Map in the General Plan conceptually shows a future Minor Collector Road connecting from 475 East to South Weber Drive through the

Bambrough property. As it specifically relates to this area, Page 24 of the General Plan states: “As development to the south of this section of 6650 South occurs, secondary access could be allowed, provided there is a primary access onto South Weber Drive or 475 East.” Page 25 of the General Plan states, “It is also recommended that the existing 6650 St. be improved. The extent of the improvements and the additional right-of-way needed to accommodate that improvement is dependent on the feasibility of the associated improvements.” **Brandon said after discussion tonight on 6650 South, it is apparent that residents don’t want 6650 South improved.**

The developer is proposing 24 lots with the primary access being on 6650 South and a stub for a future secondary connection to 475 East. Because this IS NOT consistent with the statement on page 24 in the General Plan, the developer is proposing to share in the cost of improvements on 6650 South, which IS consistent with the statement on page 25. Another factor is that the City’s Code allows for a maximum of 30 homes on a single access. The proposed access complies with the City’s Code as it relates to access with 6650 South in its current condition.

Ultimately, the Planning Commission needs to decide if what the developer is proposing is acceptable.

Brandon said after discussions tonight. His recommendation would be to connect to 475 East.

GENERAL

1. **Water Source.** The Water Capital Facilities Plan (CFP) was adopted on June 14, 2016. The Impact Fee Facilities Plan (IFFP) is also complete. Zions Bank Public Finance is currently finalizing the Impact Fee Analysis (IFA). Once this is adopted, the provision for collecting Weber Basin’s impact fee with each building permit will be in place. The collection of this impact fee will automatically contract the City for the additional culinary water needed for each new resident. Thus ensuring that the City always maintains sufficient water supply. Due to noticing and implementation requirements, we anticipate the impact fees being in place by Summer 2017. We would recommend that no building permits be issued until these impact fees are in place.

2. **Geotechnical Report.** A geotechnical study was performed by GSH and a report dated August 18, 2016 was submitted.

a. **Basements.** The geotechnical report indicates groundwater elevations as shallow as 3.4 feet below the existing grade, and recommends that the lowest habitable floor needs to be a minimum of 3.0 feet above the existing groundwater elevation. The developer is proposing to construct homes with basements. Due to the presence of shallow groundwater, we would recommend one of the following:

i. Not allow basements at all, OR

ii. Have the geotech specifically address the construction of basements in more detail and measure the elevation of the lowest habitable floor off of a fixed improvement in the development (e.g. Curb & Gutter) so that implementation of the recommendation can be easily applied by the Building Official.

b. **Groundwater.** There is no land drain system being proposed for this development, due to the unavailability of a storm drain system that is deep enough to make a difference. This also has influence on the geotech’s recommendation for basement elevations.

c. **Backfill.** Some of the native soils may meet the City Standard backfill requirements, but it is likely that it will be labor-intensive to use these soils during construction. We anticipate the majority of the backfill will need to be imported.

d. **Pavement.** A minimum of 3” asphalt and 12” roadbase over properly prepared subgrade will be required; unless a different design is desired and approved.

3. **South Weber Irrigation Ditch and Off Site Drainage.** The old South Weber ditch runs along the south property line of the proposed development. The ditch is no longer used to convey irrigation

water, but still receives drainage water, mainly from pipes. We have been made aware of an agreement that SWIC has with DWCCC to receive groundwater drainage that is collected up by the canal to ensure its stability and is discharged into the ditch. The developer is proposing to collect this drainage and pipe it into the City's storm water system. There needs to be more investigation into the specific location(s) where this and any other drainage is coming from. We propose that we work with the developer to continue to identify the best way to collect all drainage and get it into the City's storm water system.

4. Future Drainage of South property. Due to the natural topography of the property south of the proposed development, it will be difficult for any future development to drain this property back to South Weber Drive. Therefore, the storm drain system in this development should be extended to the south subdivision boundary. We recommend working with the developer to find the best location for this extension. The City should be responsible for any extension and/or upsizing of the storm drain that is not associated with the development. If this is the case, then the City's participation should be formalized in a Cost Share Agreement.

5. There is no existing storm drain system in 6650 South. The cost for the piping from 475 East to the development is the developer's responsibility.

POTENTIAL FEES PAID TO THE CITY

6. 6650 South. As mentioned earlier in this memo, the developer is proposing to participate in the costs associated with improving 6650 South from the new proposed intersection to 475 East. The City Council is currently investigating improvements on 6650 South. We propose that our office develop a cost estimate based on the Council's direction for improvements, evaluate what we feel is the developer's proportionate share and provide this to the developer for their review. We propose that this be considered a fee "in lieu"

of actual improvements. Thus, once paid to the City, the developer has satisfied their obligation and it is up to the City to install the improvements.

7. Detention Basin. All developments must provide detention. However, due to the approval of the Old Maple Farms regional detention basin and Cost Share Agreement, the developer can choose whether to construct a permanent detention basin within the development or pay a fee "in lieu" of actual detention. Our office will evaluate what this fee should be based on the same costs associated with the Old Maple Farms Cost Share Agreement and provide this to the developer for their review. The following comments are provided in preparation of the Final Plat and Improvement Plans.

PLAT

8. The streets need to be given names, if desired. Otherwise, we will assign coordinate numbers.

9. Addresses for the lots will be provided by our office.

10. All existing buildings and/or structures that are to be removed should be labeled accordingly.

11. The following note should be added:

 "All lots are subject to the requirements of the Geotechnical Report prepared by GSH, dated August 18, 2016."

12. If the developer decides to make the detention basin permanent, it needs to be labeled as a parcel and dedicated to the City in the Owner's Dedication. Otherwise, it should be shown as a lot, not "Temp. Basin."

13. If it is the developer's intent to maintain ownership of "Parcel A," then a note should be added indicating the intended ownership, and should also indicate that it is not a building lot.

14. The current South Weber Irrigation easement for the ditch should be shown and vacated with the plat; this is the desire of the SWIC. A signature block should be provided for them in order to show acceptance of this vacation.

15. The appropriate drainage easement(s) will need to be provided for the drainage facilities along the south property line and between lots, where needed. Depending on what facilities are finalized, these easements may be public or private. For facilities owned and maintained by the City, the easement must be a minimum width of 15 feet.

16. Survey Monuments in the street should be minimized to only those necessary.

IMPROVEMENT PLANS

17. Once final plans have been completed, these should be submitted to South Weber Irrigation Company for their review and approval. A letter approving the proposed connections, improvements, changes, etc. will be required prior to final approval.

18. Street lights need to be as follows: Cobra head style (400 Watt equivalent LED) at the intersections and post style (Washington Acorn 250 Watt equivalent LED) at a maximum spacing of 300'.

19. The curb, gutter and sidewalk along 6650 South should align with the cross section adopted by the Council.

20. Based on the storm drain calculations provided, it appears that there is not enough property (or elevation) to provide the required volume in the detention basin. The calculations indicate some retention. Retention is not allowed in this area because there is a storm drain system available. If the developer desires to build a permanent basin, it appears more property will be required.

21. Waterways are not allowed. Nor is drainage allowed to run past ADA ramps. Storm drain inlet boxes are to be placed at the end of all upstream radii in intersections. More inlet boxes are needed. Exact locations can be determined with the final plans.

Barry Burton, City Planner, said after discussions tonight, he disagrees with Delene Hyde because there have been several discussions concerning the safety issues of 6650 South. Commissioner Walton discussed the general plan identifying a minor collector through the Bambrough property.

Barry Burton, City Planner's, memo of 7 February 2017 concerning the Bambrough Subdivision is as follows:

Zoning:

Any action on this subdivision must be subject to City Council approval of the rezone.

Plat/Layout:

The proposal is to develop 24 lots on the 13 acres which meets the zone density provision. There will be one main road with two short cul-de-sacs and a stub street near the south end of the property. The lot layout seems reasonable, though due to the irregularity of the property boundaries, some of the lots will have irregular shapes. Those lots are, however, large enough that there is still a reasonable buildable area within each. Lot widths meet ordinance requirements.

There may be an issue arise as to whether this subdivision would exceed the 30 lots on a single access. This would only be an issue if 6650 S. is dead ended, in which case there would be 33 lots from the intersection of 6650 S. and 475 E. I believe that the potential change in the transportation access condition should be treated the same as if it were a change in land use regulations. In that case, the developer has applied for subdivision approval while the transportation access condition is that 6650 S. is a through street; therefore, they would only have 24 lots on a single access. That condition may change,

but the developer is vested under the current condition. To me this seems to be the most fair and legally defensible position to take.

The title report does not raise any red flags.

The geotechnical report indicates a problem with high ground water on this site. The developers indicated in the sketch plan meeting they would be installing a footing drain system, but this has not been shown on the preliminary plans. If no footing drain is to be installed, then the City should require the developer to work with staff and the geotechnical engineer to produce an enforceable plan for allowing basements in a manner that they will not be in danger of flooding from ground water.

There is no indication on the plat that a perimeter fence is being installed. A fence will be required around nearly the entire perimeter with the exception of one adjacent parcel on 6650 S.

Recommendation:

I recommend approval of the preliminary plan with the conditions that the developer amend the plan to include the required fencing and that the developer work with staff and the geotechnical engineer to produce an enforceable plan to allow basements that meet the geotechnical report recommendation that basements be kept at least 3' above measured ground water.

Mark Staples said they expect to be treated fairly, just like the residents want to be treated fairly. Commissioner Walton discussed conflicts with minor collector going through to 475 East and improvements to 6650 South. Brandon said if the developer is willing to construct a road to 475 East then there should be no problems. He said the issues with 6650 South may need a general plan amendment. Bruce Nilson said he received Brandon and Barry's memos and having read them before this meeting it says recommending to approve. He said 6650 South was tabled and now we are trying to make a decision on a possible new proposal from Commissioner Johnson, and he is confused. Commissioner Johnson discussed the original Sketch Plan showing the road going through 475 East.

Commissioner Johnson is concerned because what the City does with 6650 South will affect this development. Commissioner Pitts discussed dead ending 6650 South being temporary. It was stated until the Kendell property develops. Barry discussed making variations to the master plan if the Planning Commission has good cause. He also discussed the fact that a developer has made application and a decision needs to be made within a certain amount of time.

Discussion took place regarding whether or not a stub can be put into the Hyde property. The Planning Commission discussed item #2A of Brandon's memo concerning basements or no basements. Brandon said no building permits until impact fees are in place.

Commissioner Osborne moved to recommend approval of the Preliminary Subdivision: Application for Bambrough property (24 lots) located at approximately 475 E. 6500 S. (Parcel 13-023-0070), approximately 12.98 acres, by applicant Bruce Nilson subject to the following conditions:

- 1. Complete items in Brandon Jones's memo of 6 February 2017**
- 2. Complete items in Barry Burton's memo of 7 February 2017**
- 3. Main entrance from 475 East**
- 4. No building permits issued until new water impact fee is in place**
- 5. All associated fees are paid**

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

Action on Final Subdivision: Application for Ferndale Subdivision (3 lots) located at approx. 7375 S. 900 E. (Parcel 13-021-0103), approx. 3.08 acres, by applicant Lynn Poll: Lynn Poll, 826 E. South Weber Drive, said he has worked with the City Engineer concerning installation of holding tanks. He then discussed the road width. Commissioner Osborne said the 70' ROW is as per City ordinance. He said 925 East 7375 South is not going to be widened. He said the City is not condemning any property. It is only on Mr. Poll property. Barry said this meets all the requirements and he would recommend approval.

Barry Burton's memo of 3 February 2017 concerning the Ferndale Subdivision is as follows:

Zoning:

This property is zoned R-M and the proposed subdivision is well within the parameters of that zone.

Plat/Layout:

This is a simple three lot subdivision at the corner of 925 East and 7375 South with lots fronting on both streets. Developers are proposing to dedicate enough right-of-way so that from centerline to the new right-of-way line will be 35', or half of a 70' road. The opposite sides of both roads are already developed and obtaining additional right-of-way and widening the street on those sides would be the responsibility of the City, if the City chooses to do so.

The geotechnical study does not raise any particular concerns.

Recommendation:

I would recommend approval of the final plat.

Commissioner Walton moved to recommend approval of Final Subdivision: Application for Ferndale Subdivision (3 lots) located at approx. 7375 S. 900 E. (Parcel 13-021-0103, approx. 3.08 acres, by applicant Lynn Poll. Commissioner Johnson seconded the motion. Commissioners Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.

Consideration of closing/dead-ending west end of 6650 S.: Commissioner Osborne recommended dead ending 6650 South with a "T" hammerhead turnaround and no improvements (curb, gutter, and sidewalk) to the road itself.

Commissioner Pitts moved to recommend to the City Council that upon completion of Silver Oak Lane connecting to 6650 S. and Old Maple Farms Road connecting to 475 E., to temporarily dead end 6650 South with the installation of a hammerhead turnaround until Old Maple Farms Road is developed to South Weber Drive. The dead end will be located to the east of Silver Oak Lane on 6650 S. No other improvements on 6650 South be put in at this time. Commissioner Walton seconded the motion. Commissioners Pitts, Osborne, and Walton voted yes. Commissioner Johnson voted no. The motion carried 3 to 1.

PUBLIC COMMENTS:

Rose Kenny 463 E. 6650 S., asked if this goes to City Council and they deny it. It is up for more discussion. Commissioner Osborne said this is a recommendation to the City Council.

PLANNING COMMISSION COMMENTS:

Commissioner Johnson: Thanked individuals for their input. He said there is a vacancy coming up on the Planning Commission.

CITY MANAGER ITEMS:

UDOT Open House: UDOT Open House for expansion of Highway 89 to Highway 84. February 16th from 4:30 p.m. to 7:30 p.m.

Planning Commission Liaison to City Council: He recommended the Planning Commission take the responsibility to attend the City Council meeting when it is their turn.

ADJOURNED: Commissioner Pitts moved to adjourn the Planning Commission meeting at 9:38 p.m. Commissioner Walton seconded the motion. Commissioners Johnson, Pitts, Osborne, and Walton voted yes. The motion carried.

APPROVED: _____ Date

Chairperson: Rob Osborne

Transcriber: Michelle Clark

Attest: _____
City Recorder: Elyse Greiner

SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

DATE OF MEETING: 9 February 2017

TIME COMMENCED: 6:00 p.m.

PRESENT: COMMISSIONERS:

Debi Pitts
Rob Osborne
Wes Johnson
Taylor Walton

CITY ENGINEER:

Brandon Jones

CITY PLANNER:

Barry Burton

CITY RECORDER:

Elyse Greiner

CITY MANAGER:

Tom Smith

Transcriber: Minutes transcribed by Michelle Clark

VISITORS: Brent Poll, Dan Murray, Jeremy Stoker, Delene Hyde, Bruce Nilson, Margene Bambrough, Kelly Bambrough, Judy Bambrough, DJ Bambrough, Kent Bambrough, and Mark Staples.

Approval of Minutes of 8 December 2017: no discussion on this item

Business Use in C-H Zone: Mountain Land Physical Therapy: Barry said the current C-H Zone does not allow this type of use in this zone; however, the Commercial Zone (C) does. He said depending on the Planning Commissions feelings, they may want to look at this. He said as this property continues to develop, he feels it may be difficult to find interest. Commissioner Johnson feels this is a good use of that property. Commissioner Pitts agreed. Barry said the code allows for a revision to allow compatible uses. Dan Murray said the list of permitted uses is very limited for this zone, whether it be insurance companies, salons etc. He feels a few businesses will help bring more in. He anticipates possibly requesting a rezone at the west end of the property for office space because he has had a lot of interest for those types of businesses.

Public Hearing and Action: Consideration of closing/dead-ending west end of 6650 S.: Commissioner Osborne said this item was discussed at the City Council meeting on 7 February 2017. He said the City Council has referred this item to the Planning Commission for their recommendation. Commissioner Osborne doesn't see how this road can be dead-ended, because of the number of homes along 6650 South and the addition of Bambrough Subdivision, the number of units would be higher than 30 homes and would require another ingress/egress. Brandon Jones suggested the Planning Commission make a decision concerning the cross sections of 6650 South. He said it can't be City standard so it needs to be addressed specifically.

Public Hearing and Action on Rezone: Application for property located at approx. 475 E. 6650 S. (Parcels 13-023-0070 & 13-023-0182), approx. 13.173 acres, be rezoned from Agricultural Zone (A) and Residential Low Zone (R-L) to Residential Low Moderate Zone (R-LM), by applicant Bruce Nilson: This application is a request to rezone property located at approx. 475 E. 6600 S. (Parcel 13-023-0070 & 13-023-0182), approx. 13.173 acres, be rezoned from Agricultural Zone (A) and Residential Low Zone (R-L) to Residential Low Moderate Zone (R-LM).

Public Hearing and Action on Preliminary Subdivision: Application for Bambrough Property (24 lots) located at approx. 475 E. 6600 S. (Parcel 13-023-0070), approx. 12.98 acres, by applicant Bruce Nilson:

Brandon Jones, City Engineer's memo of 6 February 2017 is as follows:

Our office has completed a review of the Preliminary Plans for the Bambrough Subdivision received, January 30, 2017. We recommend approval, subject to the following comments and items being addressed prior to final approval from the Planning Commission.

HISTORY / BACKGROUND

The Concept Meeting for this proposed development was held on July 19, 2016. Issues of storm water, street connections (6650 South, 475 East & South Weber Drive) and development of adjacent property were discussed at this initial meeting.

Due to the amount of undeveloped ground "in the backyards" of the existing homes surrounding the Bambrough property, and the potential of this development to diminish the ability of these properties to develop in the future, the Staff felt that it would be important to invite all of the surrounding property owners to a Resident Meeting (Open House style). This meeting was held on September 12, 2016. At this meeting, the residents who attended were informed of the proposed development and given the opportunity to collaborate with the developer in the use of their property, if they desired. The location for connecting roads and development along those roads was also discussed in depth. The developer followed up with a few property owners as a result of this meeting. However, in the end, no property owners were willing to work with the developer to build a connecting road to 475 East. So, as a result, the Staff gave the developer the direction to locate a stub road at a location where it appeared there was the greatest development potential.

A Sketch Plan meeting was held the following day on September 13, 2016 to discuss the results of the Resident Meeting and review what the developer proposed.

A second Sketch Plan meeting was held on December 12, 2016. The developer proposed revisions based on the previous meetings. More discussion took place and comments were given. The plans we received for review are the result of all the feedback, discussions and direction given.

GENERAL PLAN - TRANSPORTATION

This property is relatively unique. It is surrounded by existing homes that front 6650 South, 475 East and South Weber Drive with few locations to build connecting streets (without demolishing an existing home). The Vehicle Transportation Map in the General Plan conceptually shows a future Minor Collector Road connecting from 475 East to South Weber Drive through the Bambrough property. As it specifically relates to this area, Page 24 of the General Plan states: "*As development to the south of this section of 6650 South occurs, secondary access could be allowed, provided there is a primary access onto South Weber Drive or 475 East.*" Page 25 of the General Plan states, "*It is also recommended that the existing 6650 St. be improved. The extent of the improvements and the*

additional right-of-way needed to accommodate that improvement is dependent on the feasibility of the associated improvements.”

The developer is proposing 24 lots with the primary access being on 6650 South and a stub for a future secondary connection to 475 East. Because this IS NOT consistent with the statement on page 24 in the General Plan, the developer is proposing to share in the cost of improvements on 6650 South, which IS consistent with the statement on page 25. Another factor is that the City’s Code allows for a maximum of 30 homes on a single access. The proposed access complies with the City’s Code as it relates to access with 6650 South in its current condition.

Ultimately, the Planning Commission needs to decide if what the developer is proposing is acceptable.

GENERAL

1. Water Source. The Water Capital Facilities Plan (CFP) was adopted on June 14, 2016. The Impact Fee Facilities Plan (IFFP) is also complete. Zions Bank Public Finance is currently finalizing the Impact Fee Analysis (IFA). Once this is adopted, the provision for collecting Weber Basin’s impact fee with each building permit will be in place. The collection of this impact fee will automatically contract the City for the additional culinary water needed for each new resident. Thus ensuring that the City always maintains sufficient water supply. Due to noticing and implementation requirements, we anticipate the impact fees being in place by Summer 2017. We would recommend that no building permits be issued until these impact fees are in place.

2. Geotechnical Report. A geotechnical study was performed by GSH and a report dated August 18, 2016 was submitted.

a. Basements. The geotechnical report indicates groundwater elevations as shallow as 3.4 feet below the existing grade, and recommends that the lowest habitable floor needs to be a minimum of 3.0 feet above the existing groundwater elevation. The developer is proposing to construct homes with basements. Due to the presence of shallow groundwater, we would recommend one of the following:

i. Not allow basements at all, OR

ii. Have the geotech specifically address the construction of basements in more detail and measure the elevation of the lowest habitable floor off of a fixed improvement in the development (e.g. Curb & Gutter) so that implementation of the recommendation can be easily applied by the Building Official.

b. Groundwater. There is no land drain system being proposed for this development, due to the unavailability of a storm drain system that is deep enough to make a difference. This also has influence on the geotech’s recommendation for basement elevations.

c. Backfill. Some of the native soils may meet the City Standard backfill requirements, but it is likely that it will be labor-intensive to use these soils during construction. We anticipate the majority of the backfill will need to be imported.

d. Pavement. A minimum of 3” asphalt and 12” roadbase over properly prepared subgrade will be required; unless a different design is desired and approved.

3. South Weber Irrigation Ditch and Off Site Drainage. The old South Weber ditch runs along the south property line of the proposed development. The ditch is no longer used to convey irrigation water, but still receives drainage water, mainly from pipes. We have been made aware of an agreement that SWIC has with DWCCC to receive groundwater drainage that is collected up by the canal to ensure its stability and is discharged into the ditch. The developer is proposing to collect this drainage and pipe it into the City’s storm water system. There needs to be more investigation into the specific location(s) where this and any other drainage is coming from. We propose that we work with

the developer to continue to identify the best way to collect all drainage and get it into the City's storm water system.

4. Future Drainage of South property. Due to the natural topography of the property south of the proposed development, it will be difficult for any future development to drain this property back to South Weber Drive. Therefore, the storm drain system in this development should be extended to the south subdivision boundary. We recommend working with the developer to find the best location for this extension. The City should be responsible for any extension and/or upsizing of the storm drain that is not associated with the development. If this is the case, then the City's participation should be formalized in a Cost Share Agreement.

5. There is no existing storm drain system in 6650 South. The cost for the piping from 475 East to the development is the developer's responsibility.

POTENTIAL FEES PAID TO THE CITY

6. 6650 South. As mentioned earlier in this memo, the developer is proposing to participate in the costs associated with improving 6650 South from the new proposed intersection to 475 East. The City Council is currently investigating improvements on 6650 South. We propose that our office develop a cost estimate based on the Council's direction for improvements, evaluate what we feel is the developer's proportionate share and provide this to the developer for their review. We propose that this be considered a fee "in lieu"

of actual improvements. Thus, once paid to the City, the developer has satisfied their obligation and it is up to the City to install the improvements.

7. Detention Basin. All developments must provide detention. However, due to the approval of the Old Maple Farms regional detention basin and Cost Share Agreement, the developer can choose whether to construct a permanent detention basin within the development or pay a fee "in lieu" of actual detention. Our office will evaluate what this fee should be based on the same costs associated with the Old Maple Farms Cost Share Agreement and provide this to the developer for their review. The following comments are provided in preparation of the Final Plat and Improvement Plans.

PLAT

8. The streets need to be given names, if desired. Otherwise, we will assign coordinate numbers.

9. Addresses for the lots will be provided by our office.

10. All existing buildings and/or structures that are to be removed should be labeled accordingly.

11. The following note should be added:

"All lots are subject to the requirements of the Geotechnical Report prepared by GSH, dated August 18, 2016."

12. If the developer decides to make the detention basin permanent, it needs to be labeled as a parcel and dedicated to the City in the Owner's Dedication. Otherwise, it should be shown as a lot, not "Temp. Basin."

13. If it is the developer's intent to maintain ownership of "Parcel A," then a note should be added indicating the intended ownership, and should also indicate that it is not a building lot.

14. The current South Weber Irrigation easement for the ditch should be shown and vacated with the plat; this is the desire of the SWIC. A signature block should be provided for them in order to show acceptance of this vacation.

15. The appropriate drainage easement(s) will need to be provided for the drainage facilities along the south property line and between lots, where needed. Depending on what facilities are finalized,

these easements may be public or private. For facilities owned and maintained by the City, the easement must be a minimum width of 15 feet.

16. Survey Monuments in the street should be minimized to only those necessary.

IMPROVEMENT PLANS

17. Once final plans have been completed, these should be submitted to South Weber Irrigation Company for their review and approval. A letter approving the proposed connections, improvements, changes, etc. will be required prior to final approval.

18. Street lights need to be as follows: Cobra head style (400 Watt equivalent LED) at the intersections and post style (Washington Acorn 250 Watt equivalent LED) at a maximum spacing of 300'.

19. The curb, gutter and sidewalk along 6650 South should align with the cross section adopted by the Council.

20. Based on the storm drain calculations provided, it appears that there is not enough property (or elevation) to provide the required volume in the detention basin. The calculations indicate some retention. Retention is not allowed in this area because there is a storm drain system available. If the developer desires to build a permanent basin, it appears more property will be required.

21. Waterways are not allowed. Nor is drainage allowed to run past ADA ramps. Storm drain inlet boxes are to be placed at the end of all upstream radii in intersections. More inlet boxes are needed. Exact locations can be determined with the final plans.

Barry Burton, City Planner's, memo of 7 February 2017 concerning the Bambrough Subdivision is as follows:

Zoning:

Any action on this subdivision must be subject to City Council approval of the rezone.

Plat/Layout:

The proposal is to develop 24 lots on the 13 acres which meets the zone density provision. There will be one main road with two short cul-de-sacs and a stub street near the south end of the property. The lot layout seems reasonable, though due to the irregularity of the property boundaries, some of the lots will have irregular shapes. Those lots are, however, large enough that there is still a reasonable buildable area within each. Lot widths meet ordinance requirements.

There may be an issue arise as to whether this subdivision would exceed the 30 lots on a single access. This would only be an issue if 6650 S. is dead ended, in which case there would be 33 lots from the intersection of 6650 S. and 475 E. I believe that the potential change in the transportation access condition should be treated the same as if it were a change in land use regulations. In that case, the developer has applied for subdivision approval while the transportation access condition is that 6650 S. is a through street; therefore, they would only have 24 lots on a single access. That condition may change, but the developer is vested under the current condition. To me this seems to be the most fair and legally defensible position to take.

The title report does not raise any red flags.

The geotechnical report indicates a problem with high ground water on this site. The developers indicated in the sketch plan meeting they would be installing a footing drain system, but this has not been shown on the preliminary plans. If no footing drain is to be installed, then the City should require the developer to work with staff and the geotechnical engineer to produce

an enforceable plan for allowing basements in a manner that they will not be in danger of flooding from ground water.

There is no indication on the plat that a perimeter fence is being installed. A fence will be required around nearly the entire perimeter with the exception of one adjacent parcel on 6650 S.

Recommendation:

I recommend approval of the preliminary plan with the conditions that the developer amend the plan to include the required fencing and that the developer work with staff and the geotechnical engineer to produce an enforceable plan to allow basements that meet the geotechnical report recommendation that basements be kept at least 3' above measured ground water.

Action on Final Subdivision: Application for Ferndale Subdivision (3 lots) located at approx. 7375 S. 900 E. (Parcel 13-021-0103), approx. 3.08 acres, by applicant Lynn Poll:

Barry Burton said the City is not proposing a road widening of 925 East 7375 South Streets. He said some residents have misunderstood this.

ADJOURNED: 6:30 p.m.

APPROVED:

Chairperson: Rob Osborne **Date**

Transcriber: Michelle Clark

Attest: _____
City Recorder: Elyse Greiner