

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 14 June 2018

TIME COMMENCED: 6:33 p.m.

PRESENT: COMMISSIONERS:

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

CITY PLANNER:

Barry Burton

CITY ENGINEER:

Brandon Jones

PLANNING COORDINATOR:

Lisa Smith

Transcriber: Minutes transcribed by Michelle Clark

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

PLEDGE OF ALLEGIANCE: Commissioner Grubb

ATTENDEES: Kody Holker, Merrilee Gorringer, Dustie Sanders, Val M Byram, Brent Poll, Louise Cooper, Cheryl Bambrough, Cymbre Rowser, Mike Ford, James Cook, Stan Cook, Paul Fifield, Shawn Byram, Darrell Alvery, Darrell Byram, La Vera Byram, Mike Bastian, Angie Petty and Mike Szymanski.

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

APPROVAL OF CONSENT AGENDA: Commissioner Osborne

- Minutes of 10 May 2018

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

DECLARATION OF CONFLICT OF INTEREST: (None)

Action on Conditional Use CU18-03: Application for Home Grown Preschool at 2252 E 7875 S by applicant Merrilee Gorringer. Merrilee Gorringer stated this is a day care/preschool. She said there will be a small group of children and estimated under 8. She has one person who will help with the preschool and she will have an emergency substitute. Barry stated the day care will require a state license. Merrilee said once she gets the conditional use permit she will get the state license. She said the day care will be maximum of 8 children. She said for preschool she is looking at three additional kids. She said she is a one on one person and prefers working with smaller groups. She has a neighbor who will help her with the preschool. She anticipates 10 or fewer kids for day care and preschool. Barry said the state will have guidelines for the day care.

Commissioner Johnson moved to approve the Conditional Use CU18-03: Application for Home Grown Preschool at 2252 E 7875 S by applicant Merrilee Gorringer subject to Barry Burton's letter of 7 June 2018 and the state license requirements. Commissioner Grubb seconded the motion. Commissioners Grubb, Johnson, and Pitts voted yes. The motion carried.

Commissioner Grubb moved to open the public hearing. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, and Pitts voted yes. The motion carried.

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

Public Hearing and Action on Final Subdivision: Application for Ford 1 Lot located at approx. 400 E 6650 S (Parcels 13-023-0199/0200) of approx. .624 acres by applicant Mike Ford: Commissioner Pitts asked if there was any public comment.

Brent Poll, 7605 S. 1375 E., said anyone west of here is a potential human receptor of the Hill Air Force Base pollution. He said the pollution is still active and will be that way until sometime in the 2040's. He would like to know how the city is justifying what they are doing. He said the city is putting people at risk because the pollution hasn't been cleaned up. He would like to know if the city has a defense, because he doesn't think there is one. He would like the warning to be included in the minutes (See attached).

Barry Burton asked if Brent Poll has any affects from the pollution since he lives in this area. Mr. Poll said he has a skin disorder that is directly affected by the pollution.

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

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

Mike Ford, 1110 E. South Weber Drive, said the city required this to come in as a subdivision, of which he feels this could have been done through a building permit, but they have paid their dues and feels this is a safe place to live. He requested approval.

Barry said there is the issue of shallow groundwater that is identified in Brandon Jones letter.

Commissioner Grubb moved to recommend approval of the Final Subdivision: Application for Ford 1 Lot located at approx. 400 E 6650 S (Parcels 13-023-0199/0200) of approx. 1.6 acres by applicant Mike Ford subject to the following:

- 1. Complete items listed in Brandon Jones memo of 7 June 2018.**
- 2. Complete items in Barry Burton's memo.**

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

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

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

Public Hearing and Action on Preliminary Subdivision: Application for Cook property at approx. 725 E 6640 S (62 lots), (Parcels 13-275-0005/0006), on approx. 23.439 acres by applicant Bruce Nilson. Bruce Nilson said the lots conform to the zoning. He said there is access to the north (South Bench Drive) and the development agreement is in place. He said there is sufficient access. He said the timing is in place for the construction of South Bench Drive in June 2019.

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

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

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

Barry Burton said he gathered some data from the adjacent property concerning the monitoring wells on the Canyon Meadows Subdivision. He said some of the wells have received no detection of pollution. He said there are approximately 20 wells and some of the data goes back from 2002. He said there are some pollutants of arsenic and barium that showed up later. He said some of the pollutants that showed up early on have disappeared. He said the levels are far below what is allowed in drinking water. He said the closest any drinking water maximum is arsenic at 4.3 and maximum for drinking water is 10. He said the pollutants are present, but the levels are well below drinking water. He doesn't see that the data supports the dooms day given by Mr. Poll.

Brandon Jones, City Engineer, addressed his memo of 7 June 2018 item #5 concerning the potential contamination. He said HAFB is regulated outside themselves. He said based on the actual data that the city has, he doesn't see a need to do anything more. He said his decisions are based off data and there is no evidence to suggest anything otherwise. He said the Planning Commission can require additional information if they feel it is necessary. Brandon said the

preliminary plans don't show a 6' masonry fence. He would recommend that the Planning Commission decide regarding fencing. Barry discussed the amendments to the fencing ordinance that is on tonight's agenda. Commissioner Grubb doesn't see the need for a masonry fence along South Bench Drive.

Commissioner Johnson discussed the information received from the meeting that was held with HAFB concerning the contamination.

Brandon asked if there are any questions or concerns with the development agreement. He said the Cook property has had several unique challenges in trying to develop the property in a way that implements the City's long-term goals while allowing the property owner to develop their property as they desire. Therefore, it was felt that a Development Agreement would help to establish terms upfront that would accomplish the goals of both parties. The following is a summary of the items addressed. For details, refer to the May 31st draft attached to this memo.

7. **South Bench Drive**. It is proposed that the developer pay their portion (70' ROW City Standard cross section) of South Bench Drive directly to the City; and the City use the money towards construction of the total project (475 East to the east end of the Cook property). The City would be responsible for design and construction of the road. The developer agrees to dedicate the property necessary for the road. The estimated cost proposed is \$465,000. The City agrees to start construction by June 1, 2019.

8. **Trail**. The developer agrees to pay for the trail, and the City will construct it as part of the road construction. The cost for the trail is included in the \$465,000 cited above.

9. **Detention Basin**. The developer agrees to size the detention basin sufficiently to cover all the Cook property south to South Weber Drive and including South Bench Drive.

10. **Ingress-Egress**. City Code requires two means of ingress-egress for any development over 30 lots. The language in the Development Agreement clarifies the timing of approvals, recording plats, and issuing building permits relative to construction of roads, and what will be allowed.

Commissioner Grubb moved to recommend approval of the Preliminary Subdivision: Application for Cook property at approx. 725 E 6640 S (62 lots), (Parcels 13-275-0005/0006), on approx. 23.439 acres by applicant Bruce Nilson subject to the following:

1. Complete items listed in Brandon Jones memo of 7 June 2018.
2. Complete items listed in Barry Burton's memo of 7 June 2018.
3. In the interest of the Watts property either deed or sign the plat that is needed.
4. Approval of the development agreement of the city by city council.
5. No requirement of 6' masonry fencing along South Bench Drive.

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

Commissioner Grubb moved to open the public hearing. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, and Pitts voted yes. The motion carried.

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

Public Hearing on Revised Preliminary Plat and Action on Final Subdivision, phase 3: Application for revision of preliminary plat for Hidden Valley Meadows and final approval for phase 3 (6 lots), (Parcels 136-023-0118/0183) on approx. 3.03 acres by applicant Bruce Nilson: Commissioner Pitts asked if there was any public comment. There was none.

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

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

Commissioner Johnson moved to approve the Revised Preliminary Plat for Hidden Valley Meadows for phase 3 (6 lots), (Parcels 136-023-0118/0183) on approx. 3.03 acres by applicant Bruce Nilson subject to the following:

1. Complete items listed in Brandon Jones memo of 7 June 2018.
2. Complete items listed in Barry Burton's memo.

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

Commissioner Grubb moved to approve the Final Subdivision for Hidden Valley Meadows and final approval for phase 3 (6 lots), (Parcels 136-023-0118/0183) on approx. 3.03 acres by applicant Bruce Nilson subject to the following:

1. Complete items listed in Brandon Jones memo of 7 June 2018.
2. Complete items listed in Barry Burton's memo.

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

Commissioner Grubb moved to open the public hearing. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, and Pitts voted yes. The motion carried.

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

Public Hearing on Amending Code Ordinance: 11.04.130 Fencing: Barry Burton, City Planner, discussed the difficulty with determining fencing codes for agricultural land. He said this amendment helps to clarify. He said this ordinance doesn't specify type of fencing. He said if that is too difficult to administer, he would suggest going back to chain link fence, but when it was chain link fence before, there was other type of fencing requested. He also discussed the amendment to fencing requirements along Highway 84. He stated the Planning Commission does have the authority to waive the fencing requirement if necessary.

Commissioner Pitts asked if there was any public comment.

Val Byram, 7595 S. 1375 E., said he is zoned agriculture. He said when Dan Bridenstine installed the vinyl fencing in Byram Estates Subdivision, it was installed 6" off the property. He said vinyl fence and animals don't mix. He said it should be chain link between livestock and residential.

Michael Poff, 939 South Weber Drive, said the original ordinance allowed for property owners to discuss the type of fencing, and if they can't come to an agreement, then it would go to chain link.

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

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

Barry discussed the purpose for the fencing is to keep people away from livestock. Barry referred to the ordinance 11.04.130. The suggested amendments are as follows:

11.04.130 Fencing

A. ~~Bordering Agricultural Land: Where land used for agricultural purposes lies adjacent to a subdivision, a six foot (6') high fence is required between the subdivision and the agricultural land.~~ Where land zoned A, Agricultural, lies adjacent to a subdivision, a six foot (6') high fence is required between the subdivision and the Agricultural zoned land. The purpose of the fence is to provide a reasonable barrier so that residents of, or visitors to, the subdivision are not inadvertently exposed to the dangers of the farm or livestock. Fencing required under this provision is not for the purpose of keeping livestock out of the subdivision. Responsibility for keeping livestock contained on the agricultural property remains the responsibility of the owner of that livestock. After receiving a recommendation from the planning commission, the city council may require any type of fence that provides a reasonable barrier to humans. Required fences shall be installed entirely within the subdivision property unless a property line fence is agreed to by the owner of the adjoining agricultural property by written agreement signed by all property owners involved. Such agreement shall be provided to the city prior to final plat approval by the city council.

B. Bordering Canals: Where a subdivision borders a canal or canal right of way, a six foot (6') high fence is required between the subdivision and the canal. After receiving a recommendation from the planning commission, the city council may require any type of fence that provides a reasonable barrier to humans so residents of, or visitors to, the subdivision are not inadvertently exposed to the dangers of the canal. In order for the barrier to be effective, fencing of other subdivision borders may be required by the city council.

C. Where building lots for any land use are adjacent to Interstate 84 a six-foot (6') masonry fence shall be constructed along the common property line with I-84. This is for safety from wildfire and to provide some protection from auto accidents.

D. The Planning Commission shall have the authority to waive or vary these requirements where it, in their opinion, will not compromise safety and does not accomplish the intent of the fence.

Fences shall be constructed so that individual property owners are responsible for maintaining only their portion of the fence; with posts located at all property corners. Required fencing shall be considered part of the subdivision improvements and subject to bonding requirements. The city council has final approval on fence requirements.

Brandon suggested stating if the type of fence isn't specifically addressed then it will be chain link fence.

Michael Poff, 939 South Weber Drive, said if a developer comes in and presents a plan and removes an existing fence then who is responsible. Barry said a developer needs an agreement with the property owner to remove the fence.

Commissioner Grubb moved to recommend approval of Amending Code Ordinance: 11.04.130 Fencing amended to include in item A "6' chain link fence unless otherwise specified by the Planning Commission." Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, and Pitts voted yes. The motion carried.

Commissioner Grubb moved to open the public hearing. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, and Pitts voted yes. The motion carried.

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

Public Hearing on Amending Zoning Codes removing Buffer Yards: Changes will affect Sections 10.5.C.11, 10.5G.12, 10.5L.6, 10.5K.11, 10.5L.6, 10.5M.6, 10.5N.12, 10.5O.6, 10.5P.10, 10.07.050, 10.15.050, 10.15.070: Barry Burton, City Planner, described city buffer yard requirements. He said it has been extremely difficult to enforce buffer yards in the fashion it is written. He suggested replacing the buffer yard with a 6' solid screening fence.

Commissioner Pitts asked if there was any public comment.

Michael Poff, 939 South Weber Drive, asked if the Planning Commission can discuss the soccer complex and why the buffer requirement has been removed. He said it is nice to have some type of buffer.

Mike Bastian, 7721 S. 7150 E., said he has been on the end where he has bought property from a developer, but it is tough when you inherit such requirements. He feels like a fence will provide an adequate barrier.

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

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

Barry addressed the soccer complex and stated why the amendments. He said there is still a buffer yard requirement between the outdoor soccer fields and the adjacent resident. He said it seems like a fence makes things easier for everyone involved and still accomplish the purpose.

Commissioner Grubb moved to recommend approval of Amending Zoning Codes removing Buffer Yards: Changes will affect Sections 10.5.C.11, 10.5G.12, 10.5L.6, 10.5K.11, 10.5L.6, 10.5M.6, 10.5N.12, 10.5O.6, 10.5P.10, 10.07.050, 10.15.050 and 10.15.070.

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

Commissioner Grubb moved to open the public hearing. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, and Pitts voted yes. The motion carried.

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

Public Hearing and Action on Rezone RZ18-04: Application for property located at approx. 850 E South Weber Drive (Parcel 13-020-0040) of approx. 13.48 acres from Agriculture (A) to Residential Low Density (R-L) by applicant MS Financial LLC:

Commissioner Pitts asked if there was any public comment.

Darrell Byram, 899 E. South Weber Drive, feels developers should have to pay for roads. He said so much of agricultural ground is being developed. He said there are some residents who rely on agricultural ground for a living.

Cymbre Rowser, 985 E. 7375 S., said she has been in this city for 56 years. She has breathing problems from the contamination. She said the city turned this rezone down three years ago and it shouldn't be here now. She stated when Mr. Poll was talking about this, there are people who have died from this.

Shawn Byram, 154 Harper Way, said in 2016 the master plan was amended, and this property is agricultural. He said it is also on the city's sensitive land use map. He would like to know how the contamination is decreasing. He understands HAFB is mitigating the contamination by letting nature take its course. He would suggest denying or tabling until questions are answered.

Michael Poff, 939 E. South Weber Drive, asked about the contamination easement. He said the government does provide for the purchase of easements to maintain agricultural property. He would suggest this might be something to investigate.

Mike Szymanski, 625 W 5300 S SLC, said there is approximately 3.5 acres in southwest corner that is an easement with HAFB and he would like to research that more.

Val Byram, 7590 S. 1375 E., said he owns pasture above this rezone request. He said HAFB has fenced off a spring so that their livestock doesn't drink it.

Darrell Alvey, 853 E. South Weber Drive, said his property is next to this property. He said this request has come up before and denied because of the HAFB easement and contamination. He discussed the access to this property and the fact that there isn't one.

Mike Szymanski, 625 W 5300 S SLC, said this is simply a change in zoning at this time. He is happy to postpone to research some of these issues.

Darrell Byram, 899 E. South Weber Drive, said once a zone is changed it will never go back.

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

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

Commissioner Grubb appreciates people coming and expressing their concern. He said a landowner has a right to request a change to their property within the laws and ordinances of the city. He said this is a rezone request. The city has a master plan that we like to follow, and this property is zoned agricultural and he doesn't see a need to change the master plan at this time. He isn't hearing a reason or intent for request for rezone from the landowner.

Mr. Szymanski said the agricultural zone doesn't allow for enough lots. He does know that to the east and north of this property the property was rezoned. Commissioner Grubb said that request followed the master plan.

Barry Burton said HAFB owns the easement on all but 1.1 acres. Mr. Szymanski said the property is under restriction, but not a restriction for any change in zoning or development. Barry said the general plan recommends it stay agricultural. He said there is no official alignment of South Bench Drive. He doesn't see any reason to rezone currently. Commissioner Johnson feels the agricultural land is important and would like to see this property preserved through a conservation easement. He said 850 East is a private road so access is difficult. He feels the city needs a map of all the restrictive easements in the city.

Commissioner Grubb moved to recommend to City Council denial of RZ18-04: Application for property located at approx. 850 E South Weber Drive (Parcel 13-020-0040) of approx. 13.48 acres from Agriculture (A) to Residential Low Density (R-L) by applicant MS Financial LLC. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, and Pitts voted yes. The motion carried.

Report by Barry Burton regarding city locations with both Arterial and Collector Roads:

Barry Burton, City Planner, said at the last Planning Commission meeting we discussed allowing duplexes at intersections of arterial and collector roads. He said we did discuss the location of 1900 East and South Weber Drive as a possible location for a duplex. He then identified locations where major collectors and minor arterials intersect. Commissioner Johnson stated there are residents who don't want to see more duplexes in the city. Commissioner Pitts said the city does currently have duplexes. Commissioner Pitts and Grubb suggested Barry draft an ordinance.

PUBLIC COMMENTS:

Michael Poff, 939 E. South Weber Drive, discussed the natural conservation services. He said the government sets up grants to maintain agricultural property. He said it is under the USDA government web address. He also asked about South Bench Drive. He read from the minutes of 23 September 2014 concerning the plan for transportation in the city. He is also concerned about the need for a second access out of South Weber Elementary. He suggested a mitigation plan for the general plan the next time it is reviewed. This will allow for more options for funding.

Kody Holker, 1900 Canyon Drive, received a notice that his conditional use permit has been suspended. He would like guidance as he looks at the permit that was granted there isn't anything on there with which they are not compliant. Commissioner Grubb said the city has a dust ordinance. He said he is moving a lot of dirt and he is keeping his dust down. He has seen a lot of video footage of dust not being controlled with water at the site in question. He said it is expected of Geneva and Parson. He said there is more dust coming off this project versus them. Kody asked what he needs to do to get the conditional use permit reinstated. Commissioner Grubb suggested Mark Larsen work with Kody Holker.

Commissioner Grubb recommend operation and conditional use permit be reinstated with the approval of Mark Larsen on the dust control. Commissioner Johnson seconded the motion. Commissioners Grubb, Pitts, and Johnson voted yes. The motion carried.

Planning Commissioner Comments:

Commissioner Johnson: He said the recreational survey is completed. He said trail requests received the highest rating. The second highest rating was trails and purchase land for trails. He thinks the City Council needs to look at accessing the Weber River Trail and pursuing recreation in the city.

Commissioner Pitts: She thanked the city for the new dog park. She has heard nothing but positive comments about it.

ADJOURNED: Commissioner Johnson moved to adjourn the Planning Commission meeting at 9:00 p.m. Commissioner Grubb seconded the motion. Commissioners Grubb, Pitts, and Johnson voted yes. The motion carried.

APPROVED: Debi Pitts Date 8/9/18
Vice Chairperson: Debi Pitts

Michelle Clark
Transcriber: Michelle Clark

Attest:

Lisa Smith
Planning Coordinator: Lisa Smith

SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

DATE OF MEETING: 14 June 2018

TIME COMMENCED: 6:01 p.m.

PRESENT: COMMISSIONERS:

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

CITY ENGINEER:

Brandon Jones

CITY PLANNER:

Barry Burton

PLANNING COORDINATOR:

Lisa Smith

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Bruce Nilson, Merrilee Gorringer, Dustie Sanders, Blair Halverson, Brent Poll, and Kody Holker.

Approval of Consent Agenda—Commissioner Pitts

- **Minutes May 10, 2018**

Action on Conditional Use CU18-03: Application for Home Grown Preschool at 2252 E 7875 S by applicant Merrilee Gorringer: This Conditional Use Permit is for a preschool at 2252 E. 7875 S for Merrilee Gorringer. The property has a rear yard that is completely fenced and it sits on a knuckle in the road which will help get traffic out of the travel path. If this home has received and passed an inspection by the fire marshal, Barry Burton sees no issues with approval. Commissioner Grubb asked if the city has a list of standards for preschools. Barry stated he isn't aware of a list. Commissioner Johnson said the state does have standards. Lisa Smith will research to see if there are any city standards available. Lisa said she hasn't received any information that a fire inspection has been completed.

Public Hearing and Action on Final Subdivision: Application for Ford 1 Lot located at approx. 400 E 6650 S (Parcels 13-023-0199/0200) of approx. 1.6 acres by applicant Mike Ford: This one lot is .662 acres in area and is the remnant of the property purchased for the Old Maple Farms Subdivision. It is the only part of that property that has frontage on 6650 S. There was a home on part of this property that has since been torn down. There are existing homes on both sides and across the street from this parcel, as well as approved building lots behind. It is not proposed that the street improvements (curb, gutter and sidewalk) be installed at this time as there are no such improvements on the north side of 6650 S.

Brandon reviewed his memo of 7 June 2018. He said there are items that need to be addressed for the plat. He said a land drain easement will need to be provided by the owner of Lot 101 in Old Maple Farms Phase 1 Subdivision. Commissioner Grubb asked if the dedication of property for the street on the plat represents a 50' right of way. Barry said it does. Brandon said it has been discussed at length but the only thing that seemed at all approvable for improvements was a 50' right of way. He said it is similar to 1250 East, which is also a 50' right of way.

Public Hearing and Action on Preliminary Subdivision: Application for Cook property at approx. 725 E 6640 S (62 lots), (Parcels 13-275-0005/0006), on approx. 23.439 acres by applicant Bruce Nilson: Barry Burton, City Planner, stated this property has been recently rezoned from A to R-P (9.84 acres) and R-M (13.59 acres). The subdivision therefore, will include both patio homes and traditional single-family homes. Both zone areas of the subdivision contain well below the allowed density. After having gone through a few different layouts of roads and lots, this one works quite well, provided the access to the west into Riverside Place Subdivision is in place before or as part of Phase 1.

Barry stated this access is the only one into Phase 1 and it is our understanding that the phase of Riverside that includes this access will not be approved or constructed prior to construction of this subdivision. This plat includes a portion of road in Riverside Place that will provide a connection to an existing public road. All improvements and utilities will need to be installed in this section of road and property owners will need to sign the subdivision plat.

Barry explained that the same Development Agreement establishes the terms under which South Bench Drive will be constructed. The City will be constructing the road with developer participation. By this agreement, the City will be required to complete the road in 2019. This will be a part of the project that takes South Bench Drive out to 475 East.

The geotechnical report indicates there were 9 test pits dug to a depth of 11 feet. There was ground water in 3 of the pit at between 8.3' and 9.8'. The report recommends basements be kept at least 3' above ground water level.

Brandon suggested if this is approved, it be subject to the development agreement. Commissioner Johnson said the trees will be taken out along the posse grounds for the retention basin. Brandon said that is correct. Commissioner Johnson asked about the width of the walking path. Brandon said it is 10'. Commissioner Grubb asked about the two accesses and if the city required that. Brandon said the two accesses allowed for more lots, and the city didn't require it.

Blair Halverson asked about a strip of property that is jointly shared by the Cooks and Gordon Watts. Brandon said there should be an agreement in place. Blair suggested making sure that is worked out. Barry suggested the developer pick out a name for this subdivision soon. Mr. Nilson said they are in process of deciding between several names.

Public Hearing on Revised Preliminary Plat and Action on Final Subdivision, phase 3: Application for revision of preliminary plat for Hidden Valley Meadows and final approval for phase 3 (6 lots), (Parcels 136-023-0118/0183) on approx. 3.03 acres by applicant Bruce Nilson. Barry Burton stated the preliminary plat has been revised by adding Phase 3 which is in two parcels on either side of a connector road to 475 East that is part of Phase 2. Phase 3 consists

of 6 additional lots ranging in size from just over 10,000 square feet to almost 20,000. The lots are in conformance with zone requirements.

Barry said all the improvements necessary for this phase were actually approved as part of Phase 2. This property was rezoned in February to R-LM in preparation for Phase 3. The only recommendation he would make is that the developer be required to establish a maximum basement depth chart as was done in the other phases as the land drain depth allows and as approved by the City Engineer.

Public Hearing on Amending Code Ordinance: 11.04.130 Fencing: Commissioner Johnson asked about the height of the fencing. Barry Burton, City Planner, said amending this ordinance will help with fire protection as well as safety from Interstate 84 traffic. Brandon Jones questioned if the ordinance addresses type of fencing materials. Commissioner Grubb suggested adding a minimum of chain link fence.

Public Hearing on Amending Zoning Codes removing Buffer Yards: Changes will affect Sections 10.5.C.11, 10.5G.12, 10.5L.6, 10.5L.6, 10.5M.6, 10.5N.12, 10.5O.6, 10.5P.10, 10.07.050, 10.15.050 and 10.15.070. (No discussion on this item)

Public Hearing and Action on Rezone RZ18-04: Application for property located at approx. 850 E South Weber Drive (Parcel 13-020-0040) of approx. 13.48 acres from Agriculture (A) to Residential Low Density (R-L) by applicant MS Financial LLC. 11. (No discussion on this item)

Report by Barry Burton regarding city locations with both Arterial and Collector Roads: (No discussion on this item)

ADJOURNED: 6:35 p.m.

APPROVED:



Vice Chairperson: Debi Pitts


Date

8/9/18



Transcriber: Michelle Clark

Attest:

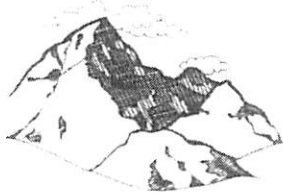


Planning Coordinator: Lisa Smith

South Weber Coalition

Executive Director
Brent Poll

Technical Advisor
Dr. John Carver



WARNING – BUYERS BEWARE

This warning is for the relatively new residents of South Weber who may not realize that they reside “within a one-mile radius of the center of the Operable Unit 1 (OU1) Superfund site.” Each is considered as a “potential human receptor” of the numerous toxic chemicals and heavy metals which have migrated from Hill AFB throughout most of the western portion of our City. Infants, pregnant women, nursing mothers, and the elderly are especially sensitive to such exposures (which can occur through inhalation, absorption or ingestion). Almost every aspect of human health could be adversely affected. The most recent finalized EPA Five –year Review (FYR) projected that this threat is expected to continue until some uncertain time “in the 2040s.”

Hill AFB - The Base is both the polluter and the lead Agency for resolving the threats that its pollution generates. However, Congress provided an exception for many Federal polluters including the military, which made real remediation only a ‘discretionary’ function. This controversial congressional action was validated through a 13 January 2015 Federal court decision (Waverley vs. U.S.A.). The military has widely embraced its ‘discretionary’ prerogative by doing almost nothing genuinely remedial.

City of South Weber - The City’s 2014 General Plan also mentions this threat but the City’s descriptions show the problem to be many times smaller than described in the Superfund documents, and one that can supposedly be managed for safe development. This allegedly was based on information provided by Hill AFB, but it contradicts Superfund guidance and the documents signed by the Air force, EPA and UDEQ.

South Weber Coalition - OU1 contamination passes through our properties before polluting the rest of the valley. We have been advised to do everything we can to resolve this problem and to warn our neighbors of this on-going threat. We have strived to do this for over four decades with limited success. Success was most evident when those who contacted us, for advice, decided to reside elsewhere until/unless the threat was resolved. De-listing from the National Priority List (NPL) would document resolution.

Threatened City Residents - Utah is a buyer-beware state. While true, our Coalition believes this is unrealistic with this complex matter. The City, in our view, has been especially remiss here. Nevertheless, you need to help yourselves by studying the copious Superfund records governing your situations. We will assist if needed.