

# SOUTH WEBER CITY PLANNING COMMISSION MEETING

**DATE OF MEETING:** 10 October 2024

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

**LOCATION:** South Weber City Office @ 1600 East South Weber Drive, So. Weber, UT

**PRESENT:**

**COMMISSIONERS:**

Gary Boatright (excused)  
Julie Losee  
Marty McFadden  
Chris Roberts  
Chad Skola

**DEPUTY RECORDER:**

Raelyn Boman

**CITY ENGINEER:**

Brandon Jones

**COMMUNITY DEVELOPMENT  
MANAGER:**

Lance Evans

**Minutes:** Michelle Clark

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**ATTENDEES:** Joel Dills, Paul Sturm, Michael Grant, Chris Cave, Darcie Whaley, Mike Whaley, Sarah Randall, Dave Randall, Penelope Shupe, Michael Shupe, Ann VanDerMan, Kevin Schonscheck, Wesley Stuart, Sarah Davis, Trevor Schenk, Jordan Love, and Ashley Wendt.

**Commissioner Losee called the meeting to order, welcomed those in attendance, and excused Commissioner Boatright from tonight's meeting.**

**1. Pledge of Allegiance: Commissioner Roberts**

**2. Public Comment:** Please respectfully follow these guidelines.

- Individuals may speak once for 3 minutes or less: Do not remark from the audience. State your name & city and direct comments to the entire Commission (Commission will not respond).

**Paul Sturm of South Weber City** commented on discrepancies concerning the zone change application for Coopers Landing subdivision from agriculture (A) to Commercial Highway (C-H) by applicant Shane Turner and stated the current zoning is "A" not "R1". Plus, there is no HC Zone in South Weber City. He added in all his years attending both Planning Commission and City Council meetings, he has never seen so many items being pushed through during one

meeting regarding a single project with the associated interdependencies and three simultaneous changes being requested of the city.

**Steve Randall of South Weber City** referenced the Planning Commission meeting held on July 13, 2023 when discussions took place regarding an area for RVs and what happens if one of those areas borders a residential area. He added at that meeting the City Manager referenced city code Title 10-15-14 (Buffer Yard Landscaping) and discussed options for the buffer area being lots of trees. Mr. Randall stated after reviewing the Planning Commission packet for this meeting, he noticed staff is now recommending waiving the requirements in the city code. The South Weber City code requires an 8' wall, General RV recommended a 6' wall, City staff report recommended a 6' wall, and Mr. Randall requested an 8' wall. City code requires one tree with a mature height of at least 25' to be planted every 20'. General RV recommended no trees anywhere. Mr. Randall urged the Planning Commission to follow the city code. He noted the staff report does not address any trees. He stated the intent of 10-15-14 is to increase the compatibility of adjacent land uses and foster compatibility among different land uses by minimizing the harmful effects of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusions, and other objectionable activities or impacts conducted or created by adjoining or nearby use. Mr. Randall noted with the topography there are areas that the finished surface will be 5 ½' higher than what it is currently and if a 20' light pole is installed on top of that it creates a problem. He said the C-R Zone allows for a mega memorial tent day sale right in the middle of the neighborhood. He does not know how many RVs a day will be traveling in and out of this property. He suggested the Planning Commission mitigate these concerns not by waiving the city code but by following the city code.

**Trevor Schenk of South Weber City** discussed how living next to the Soccer Complex has affected his home. He urged the Planning Commission to carefully consider the impact General RV will have on the surrounding neighborhood and community.

**Sarah Davis of South Weber City** conveyed she is representing multiple households who could not be in attendance tonight and are concerned about no trees and lighting from General RV.

**Penelope Shupe** affirmed she does not agree with the City Engineer 's recommendation to waive the landscaped buffer.

**Sarah Randall of South Weber City** voiced concerns with the General RV's inventory lot going in behind her home and how the visibility of the RV's, due to the elevated grade of the inventory lot in relation to the grade of residents to the north, will affect her view of the wildlife she currently enjoys. She is concerned about how this development will affect property values, safe roads, and lighting. She requested the 8' wall, 25' trees, and an asphalted lot to help minimize dust. She suggested Kingston Drive not be used as road access for RV's. She suggested General RV submit a plan for phase 2 before anything is approved.

**Michael Bailey of South Weber City** voiced concern with the 6" thick aggregate road base to be installed on the lot and suggested it be amended to asphalt to help mitigate dust. He pointed out if Kingston Drive is allowed to be used for RV's, there is no sidewalk for children and there is a bus stop in the area.

**John Auger of South Weber City** pointed out the safety issue of children walking without a sidewalk and 6650 South access being too tight. He suggested the Planning Commission be super clear with the conditions for this conditional use permit.

**Jordan Love of South Weber City** commented on the Cooper Landing Subdivision and is concerned about the entrance coming off Maple Road. He added there is also a school zone in this area.

### **ACTION ITEMS:**

#### **3. Approval of Consent Agenda**

- **12 September 2024 Minutes**

**Commissioner Skola moved to approve the consent agenda. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Losee, McFadden, Roberts, and Skola voted aye. The motion carried.**

### **----- PUBLIC HEARING -----**

#### **4. Public Hearing for General Plan Projected Land Use Map Amendment**

Lance Evans explained that this development project has three requests that will build upon each other for the same parcel of ground. First, is the request to amend the General Plan Projected Land Use Map from Residential Moderate Density to Highway Commercial. Second, there is a development agreement with South Weber City that specifies in detail how the property will develop and ties the property to a specific site plan and uses. Third, is a rezone from A – Agricultural to Commercial Highway. If the General Plan Projected Land Use Map is approved, then a rezone to Commercial Highway is an appropriate zone for the proposed uses and site layout depicted in the development agreement.

Commissioner Losee pointed out there were two addendums that were not included originally in the city packet and were sent to Planning Commissioners today.

Commissioner Losee asked if there was anyone who would like to make a public comment at this time.

**Jordan Love of South Weber City** asked Lance Evans if this development were across the street from his home if he would recommend it and questioned why the City Council denied the residential and why add fifteen commercial spaces.

**Paul Sturm of South Weber City** voiced his frustration when the information was given to the public and opined this was not enough time for public to review and required 24-hour notice as per city code. He expressed the development agreement is incomplete, there is no flex space zone in South Weber City, and Accessory Dwelling Unit (ADU) is not permitted in a commercial zone only residential, parking spaces, height limit of 35' is too high.

**Michael Grant of South Weber City** noted the city packet was amended two and half hours ago. He opined this is a sensitive issue with not enough time to review. He suggested the Planning Commission have the City Attorney review the legality of this request.

**Dave Randall of South Weber City** drives by this property every day. He is concerned about safety for the children and mailbox locations. He suggested the Planning Commission take the necessary time to review this request.

**Commissioner McFadden moved to close the public hearing for General Plan Projected Land Use Map amendment. Commissioner Davis seconded the motion. A roll call vote was taken. Commissioners Losee, McFadden, Roberts, and Skola voted aye. The motion carried.**

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

### **5. General Plan Projected Land Use Map Amendment**

Community Development Manager Lance Evans affirmed that the agenda item was noticed well in advance of 24-hour, and all three requests met city code application requirements. He added that the developer has legal rights for agenda items.

Chris Cave of Reeve & Associates stated each unit will be sold and there is not a storefront. City Engineer Brandon Jones pointed out there is no flex space zone which is why the developer is requesting a development agreement. Lance Evans announced the code allows ADU's if there is an employee or if it is owner occupied.

Chris Cave discussed the interior and exterior of the units and explained windows are required to break up exterior walls. He explained after meeting with city staff the second access onto Old Maple Road was added to reduce traffic on 475 East. Discussion took place regarding a traffic study for this area. City Engineer Brandon Jones said a traffic study can take place as changing the use will change traffic. He noted the access location is challenging because this property is not ideally located. He opined the access onto Old Maple Road would be safer than 475 East because of the distance between conflict points. Commissioner McFadden conveyed this property is currently zoned agricultural and the general plan identifies this property as residential moderate. He expressed he is familiar with flex space use which does create minimal traffic, and added the commercial element does bring opportunities for the city. Commissioner Roberts is concerned about access on Old Fort Road. Commissioner Skola explained since July the plan has changed for this development, and he does not favor the 35' height of the buildings. Commissioner Davis questioned if there is sufficient parking. Commissioner Losee referenced page 17 of the city's general plan concerning care given between residential and commercial areas. She does not feel this will reduce negative impacts to a residential zone. She is also concerned about the location of the bus stop, safety, and parking issues. She suggested instead of three buildings, just one. She then discussed the general plan being a guided document in which a developer now wants to do a development agreement instead of following the general plan. Mr. Cave estimated the buildings to be as high as the nearby townhomes. He added the second access was included because the city requested it.

**Commissioner Roberts moved to recommend to the City Council the denial of the General Plan Projected Land Use Map amendment. Commissioner Skola seconded the motion. A roll call vote was taken. Commissioners Losee, McFadden, Roberts, and Skola voted aye. The motion carried.**

**6. Development Agreement for Coopers Landing subdivision at approximately 6525 S. 475**

**E. by applicant Shane Turner:** The developer desires and intends to develop a Highway Commercial Flex Space Development located at 475 E 6525 S containing approximately 2.20 acres. The property is currently zoned A-2 and the developer desires to rezone the property to the C-H Highway Commercial zone incorporating the Flex Code Zoning Ordinance 2024-27. The project description includes a Highway Commercial Flex Use Development containing 3 structures with no more than 15 separate units including Accessory Dwelling Units permitted use that comply with city code 10-5H-4 and Flex Code Zoning Ordinance 2024-27.

Structure 1- approximately 7,776 sq ft containing up to six individual 1,296 sq ft units

Structure 2- approximately 7,776 sq ft containing up to six individual 1,296 sq ft units

Structure 3- approximately 5,265 sq ft containing up to three individual 1,755 sq ft units

**Commissioner Skola moved to continue the development agreement for Coopers Landing Subdivision at approximately 6525 S. 475 E. by applicant Shane Turner. Commissioner McFadden seconded the motion. A roll call vote was taken. Commissioners McFadden, Roberts, and Skola voted aye. Commissioner Losee and Roberts voted nay. The motion failed.**

**Commissioner Losee moved to recommend denial to the City Council the development agreement for Coopers Landing Subdivision at approximately 6525 S. 475 E. by applicant Shane Turner because the General Plan Projected Land Use Map agenda item failed. Commissioner Roberts seconded the motion. A roll call vote was taken. Commissioners Roberts and Losee voted aye. Commissioners Skola and McFadden voted nay. The motion failed.**

**Commissioner Skola moved to table the development agreement for Coopers Landing Subdivision at approximately 6525 S. 475 E. by applicant Shane Turner. Commissioner McFadden seconded the motion. A roll call vote was taken. Commissioners Losee, McFadden, Roberts, and Skola voted aye. The motion carried.**

**7. Zone Change for Coopers Landing subdivision from agriculture (A) to Commercial Highway (C-H) by applicant Shane Turner**

**Commissioner McFadden moved to recommend denial to the City Council the Zone Change for Coopers Landing subdivision from agriculture (A) to Commercial Highway (C-H) by applicant Shane Turner. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Losee, McFadden, Roberts, and Skola voted aye. The motion carried.**

**8. Conditional Use Approval for General RV Inventory Lot at approximately 108 E. South Weber Drive**

Community Development Manager Lance Evans explained that the property is zoned C-R (Commercial Recreation Zone) and allows Recreational Vehicle Sales and Rental as a Conditional Use in the Land Use Matrix. The proposal is for an inventory lot for RV's and trailer on 5.31 acres. Mr. Evans referenced the landscape plan addendum to the city packet. He noted at one time that a portion of the Riverdale Bench Canal was to be piped; however, this has since changed, and this portion of the canal will remain unpiPED. In the future this may change, and as

a result, the wall has been moved back 16' with that area being landscaped. He added the site is slightly elevated from the property to the north and given the Public Works Building wall is 6' the applicant is proposing a 6' tall masonry wall along the residentially zoned properties, rather than the 8' tall masonry wall required. Given the low intensity use and to be consistent with the Public Works building site to the south, staff recommended allowing this provision to be waived as proposed. He added the conditional use permit is for storage and not events. Discussion took place regarding access to the property. City Engineer Brandon Jones explained the requirement for two means of ingress/egress to the property through South Weber Drive and Kingston Drive as per UDOT requirement. He noted this does not mean they are both to be used equally, but they need to be available. Mr. Evans acknowledged the developer is required to follow the city code regarding lighting. Commissioner Losee stated addendum #2 includes the lighting and landscaping plan.

City Engineer Brandon Jones addressed his memo and read the following:

*2. Size of the masonry fence being only 6' tall Waived. Section 10-15-14E allows "Any provision contained in this chapter may, with just cause, be waived by the City Council with the advice of the Planning Commission." For these requirements to be waived, the developer should request that they be waived and provide "just cause" for that reasoning. \* Due to the requirement for piping the canal along the north property line, we would recommend placing the masonry fence on the property line and requesting that the landscaping requirement of the buffer yard be waived, as it is unlikely that the Riverdale Bench Canal Company (RBCC) will allow landscaping inside their easement, but the parking of RV's may be acceptable, allowing his portion of the property to be used.*

Mr. Jones stated at the time this memo was written, the canal company planned to pipe the Riverdale Bench Canal, but they have since decided for it to remain in its native open (un-piped) condition. Staff recommended if the applicant desires or is required to pipe this section in the future, that this change to the site plan must be reviewed and approved as an additional condition of approval. Commissioner Losee noted on addendum #2 the landscaping plan does not show any trees or landscape on the south border near residents on Harper Way. She communicated given there is additional spacing, and the canal is not going to be piped, she suggested there be a revision to the landscape plan if possible. Mr. Jones conveyed there is currently existing vegetation. He announced the property owner, and the canal company will be the ones to remove the vegetation; however, if there is a provision in the conditional use permit that governs and guides that process, the property owner would come back for specific approval. If the canal company decides the canal is too hard to maintain or becomes a safety risk, they can pipe it. He recommended if the Planning Commission wants to be specific about how the canal is managed then they need to make sure to include any recommendations for the conditional use permit.

Kevin Schonscheck representing the developer stated the development will be completed in two phases. There will be no sales or services onsite, and the impact will be minimal. It will be quiet and hopefully not a nuisance for the neighbors. He understands the discussion surrounding the canal and would like to see much of the natural buffer remain. He added they will try to leave as much as they can on the south side, but there will be some grading. The vegetation on the north side will remain. He explained General RV intends to use the main exit onto South Weber Drive and 475 East.

Commissioner Skola appreciated the public attendance and emails. He understands there has been a great deal of thought and effort into creating the city code; however, he assumed this would be an asphalted parking lot. Commissioner Roberts agreed and voiced his concern about dust. He also addressed the pictures the Planning Commission received from Dave Randall.

Mr. Dave Randall explained the picture is of a combo box from the existing canal to the new route. This box is approximately 5.5' higher than the existing ground. He assumed the combo box has an inlet on the top to receive water so there is no point in spending the extra money on this unless that is the finished grade, and the topography shows the grade goes up as it goes north. Commissioner Roberts noted this is in phase 2. Commissioner Losee reminded those in attendance that this conditional use permit is for phase 1 and phase 2 of which any conditions for both phases need to be included in this application.

Commissioner Skola asked how many days a year and how much traffic there is. Mr. Schonscheck replied the RV's will come from the main lot. Commissioner Losee asked what the route is for moving the RVs to the main shop. Mr. Schonscheck stated South Weber Drive and 475 East.

Discussion took place regarding when the property was originally sold. Ashley Wendt of South Weber City gave the history of the property and her interest in purchasing the property and her discussion with the City Manager, City Attorney, and City Council. She expressed concern about tree removal and the gray area identifying rock mulch. Mr. Schonscheck explained the south side is maintenance for the canal company and the north side will remain as is.

Commissioner McFadden asked about the red hatched semi-circle on the drawings. Wes Stuart, representing Gardner Engineering, stated it is the buffer area for the power company that is required. He said they do not oppose an 8' wall. The Planning Commission recommended asphalt verses crushed gravel which will help mitigate dust. Mr. Schonscheck stated they will keep the property maintained.

Sarah Randall of South Weber City communicated concern with phase 2 and if there will be a retaining wall, landscaping plan etc. Commissioner Losee identified there is a landscape plan for phase 2. Mr. Stuart discussed the phase 2 landscape plan and the grading plan. Mr. Jones discussed the future contours for elevation.

**Commissioner Skola moved to recommend denial to the City Council the Conditional Use Permit for General RV Inventory Lot at approximately 108 E. South Weber Drive. Commissioner Roberts seconded the motion. A roll call vote was taken. Commissioners Roberts and Skola voted aye. Commissioner McFadden to Losee nay. The motion died.**

**Commissioner Losee moved to continue to the December Planning Commission meeting to allow for more information for the following:**

- 1. Grading and elevation changes impacting residential lots along Harper Way with phase 1 and phase 2.**
- 2. No access to phase 2 storage area from Harper Way.**
- 3. More information regarding road base verses asphalt and what is the road base maintenance plan year to year.**

Mr. Lance Evan's asked for a point of clarification. He stated information was sent today which will clarify these items. Commissioner Losee stated the Planning Commission has not had a chance to review Addendum #2.

Commissioner Losee withdrew her motion.

Commissioner McFadden moved to recommend approval to the City Council for the conditional use permit for General RV Inventory Lot at approximately 108 E. South Weber Drive with the following conditions:

1. That an 8' masonry wall be constructed on the property lines adjacent to residential lots.
2. That the entire site is paved with asphalt, rather than the 1" thick washed crush gravel proposed.
3. That the landscaping will be installed as per city buffer requirements adjacent to residential lots.
4. That there will be no access to the inventory lot from Harper Way.
5. That the Kingston Drive access be used only for emergency access with emergency access defined.
6. That the lot be used only for the inventory of R.V.s and no sales will be allowed.
7. That the applicant will provide a more detailed plan for the development of phase 2.

Commissioner Losee seconded the motion. Commissioner Losee, McFadden, and Roberts voted aye. Commissioner Skola voted nay. The motion carried 3 to 1.

**REPORTS:**

9. New Business: (None)

10. Commission and Staff

11. ADJOURN: Commissioner Skola moved to adjourn the Planning Commission meeting at 9:02 p.m. Commissioner McFadden seconded the motion. A roll call vote was taken. Commissioners Losee, McFadden, Roberts, and Skola voted aye. The motion carried.

APPROVED: Julie Losee Date 15/11/24  
Julie Losee (Nov 15, 2024 11:15 MST)  
Chairperson: Julie Losee

Michelle Clark  
Michelle Clark (Nov 15, 2024 10:19 MST)  
Transcriber: Michelle Clark

Attest: Raelyn Boman  
Deputy Recorder: Raelyn Boman