

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 10 August 2017

TIME COMMENCED: 6:30 p.m.

PRESENT: COMMISSIONERS:

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

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 Osborne

VISITORS: Laurie Gale, Marty Gale, Melinda Osborne, Bart & Emily Boren, Mike Brandt, Mark Staples, and Stacey Eddings.

APPROVAL OF MEETING MINUTES

- July 13, 2017

Commissioner Johnson moved to approve the meeting minutes of 13 July 2017 as amended. Commissioner Pitts seconded the motion. Commissioners Johnson, Osborne, and Pitts voted yes. Council Member Grubb abstained. The motion carried.

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

DECLARATION OF CONFLICT OF INTEREST: (None)

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

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

Public Hearing on Rezone: for property located at 2666 E. Deer Run Dr. and approx. 7850 S. 2700 E. (Parcels 13-041-0062, 13-041-0118, 13-041-0068, 13-140-0010, & 13- 041-0115), approx. 2.35 acres, be rezoned from the Highway Commercial Zone (C-H) to Commercial Overlay Zone (C-O) and approx. 0.388 acres be rezoned from the Commercial Zone (C) to Commercial Overlay Zone (C-O) by applicant Laurie Gale: Commissioner Osborne said applicant, Laurie Gale, has asked to take off parcel 13-041-0115 from the rezone application. Barry Burton, City Planner, said the C-H Zone is designed primarily for retail commercial that is highway oriented. He said the C-O Zone is a little bit different and allows for different setbacks. It encourages mixed use (residential and commercial).

Stacey Eddings, 2645 E. 7800 S., said she is on the opposite side of the Weber Canal from this property. She is concerned because she doesn't want apartments or businesses looking down into her yard. She is concerned about her privacy.

Commissioner Grubb said the zone states the type of uses. He said with the current zone of commercial, there are a lot of different uses. He said the C-O Zone would change the use a little bit.

Laurie Gale, applicant, said the parcel on the north side of the canal needs to be withdrawn from the application. She said she has a buyer interested in this property and would like to develop a daycare on the property. She said the C-O Zone allows for a smaller setback.

Mike Grant, did not sign in, said he would like to know the location of this property. He would like to know the height of buildings for both zones. Barry said the height restriction is 35'.

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

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

Commissioner Johnson said the city's master plan does identify this area for commercial overlay (C-O) Zone. He said there are a lot of individuals looking for daycare centers. He feels it is needed in this area. Commissioner Grubb said the C-H Zone has a heavy impact on the neighbors and the C-O Zone has a softer impact on the neighborhood. He wants to stick with the master plan.

Barry Burton said this particular zone is recommended in the general plan. He has had numerous contacts with potential buyers and none have been interested in the existing commercial highway zone.

Commissioner Pitts agrees with the softer impact on the residents. Commissioner Osborne is concerned about this being a sneaky way of doing apartments but he has become comforted by the Gales with the possible daycare center.

Commissioner Johnson moved to recommend approval of the rezone request for property located at 2666 E. Deer Run Dr. and approx. 7850 S. 2700 E. (Parcels 13-041-0062, 13-041-0118, 13-041-0068, & 13-140-0010,), approx. 2.35 acres, be rezoned from the Highway Commercial Zone (C-H) to Commercial Overlay Zone (C-O) and approx. 0.388 acres be rezoned from the Commercial Zone (C) to Commercial Overlay Zone (C-O) by applicant Laurie Gale. Commissioner Pitts seconded the motion. Commissioners Johnson, Osborne, Pitts, and Grubb voted yes. The motion carried.

Review Ordinance 10.11.050 General and Miscellaneous Provisions (Fences): Barry Burton, City Planner, said the city council has recommended amending the height of fencing at a clear view across corner of property required. Barry said the city recently installed a fence at Central Park that is 4' high. He feels amending the ordinance to 4' is too high. The Planning Commission discussed identifying the type of fencing with chain link being easier to see. They discussed being able to see through the fencing. Commissioner Grubb suggested defining "clear view". Brandon Jones suggested leaving it alone because defining what can and can't be seen through gets difficult to enforce. He said this also pertains to vegetation, hedges, trees, etc. Barry said even chain link can be difficult, depending on the view point. Brandon said the City Council can decide how they are going to come into compliance with the fence at Central Park. Barry said the 2' requirement that the code is at now is pretty much a standard and 3' or 4' is too high.

10.11.050 General And Miscellaneous Provisions is as follows:

B. Fence Height: Except as otherwise required in subsection C of this section, no fence or wall or similar device in any residential zone may be constructed or placed in any required yard in excess of six feet (6') in height. Where a retaining wall is reasonable and necessary and is located on a line separating lots, such retaining wall may be topped by a fence, wall or hedge of a maximum of six feet (6'). Fences, walls or similar devices in any zone other than a residential zone which exceed six feet (6') in height shall be considered conditional uses and must obtain conditional use approval, either as part of an overall site approval or as a separate matter, prior to erection.

C. Clear View Across Corner Of Property Required: In all zones which require a front yard, no obstruction to view in excess of ~~three two~~ feet (32') in height above the level of the curb or roadside, where no such curb exists, shall be permitted on any corner lot within a triangle, formed by the street, property lines and line connecting the between points forty feet (40') from the intersection of the streets and property lines, except for the following:

1. Permitted signs where only the minimum necessary supports are visible to a height of ten feet (10') above the level of the curb or road side.
2. A reasonable number of trees pruned or maintained in such a way as to provide reasonably unobstructed vision to the driver of automobiles through such area.

Commissioner Osborne moved that the Planning Commission recommends to the City Council that 10.11.050 remain as it is. Commissioner Grubb seconded the motion. Commissioners Johnson, Osborne, Pitts, and Grubb voted yes. The motion carried.

Review I-84 Buffer/Trail Preservation Method: Barry Burton, City Planner, discussed the I-84 buffer/trail preservation. He said the Planning Commission needs to decide how it is

preserved as well as communicate this to developers. He proposed amending the ordinance on a per acre basis. He said we need to have a way to assure that the buffer is preserved. Commissioner Grubb suggested designating the road alignment.

Mark Staples, of Nilson Homes, said the conflict is the density. He would suggest being able to transfer the density. He said it is difficult with the power lines and easements in that area. He would like to see more clustering, which would allow for some type of overlay.

Barry said the current ordinance for PUD allows for a bonus density of 10% as per code 10.7 I.4(d). He said we have to be more vigilant on lot size and setbacks may become a matter of negotiation. He said the way it is designed is that the roads are public roads. Mark Staples asked if they can make a proposal. Brandon said he likes the idea of allowing a bonus for preservation. Barry asked about the possibility of establishing a right of way. Brandon said he is in favor of that because it establishes an alignment.

Mark Staples said he is willing to work with Barry Burton, because he wants this to be a win-win verses the developer being penalized.

Commissioner Osborne requested this item to be on the agenda in September.

PUBLIC COMMENTS: (None)

COMMISSIONER ITEMS:

Commissioner Johnson: He suggested any future City Council minutes be amended to take out City Engineer and City Planner as visitors. He met with Davis County Commissioner Milburn concerning the city's trail plan. Tom reported that he sent a letter to UDOT concerning the city's trail plan and he knows Commissioner Milburn was aware of that.

CITY MANAGER:

Tom Smith, City Manager, discussed the options for the relocation of the posse grounds. He said the discussion at the open house that evening included why it is being discussed. Tom said development and growth are currently taking place in the area of the existing posse grounds.

1. Approximately 125 East Kingston Drive.
2. West of South Weber Drive from the soccer complex.
3. West of Canyon Meadows baseball diamond.
4. Canyon Meadows off of Firth Road.
5. Top of 1900 East and Deer Run Drive.

Tom explained that option #5 is most desirable. He said there is a concern because the city does lease this property. He said this area is approximately 3 acres. He said this area is surrounded by roads and trails. He discussed this area being used as a nature park as well. Commissioner Johnson suggested looking at the possibility of a dog park. Discussion took place regarding over-night camping, picnic area, etc. Tom said the Planning Commission will be meeting with the City Council on 15 August 2017. He said because the Planning Commission didn't adopt

electronic meetings, Commissioner Osborne will not be able to vote and Commissioner Pitts will not be in attendance as Vice-Chair.

ADJOURNED: Commissioner Grubb moved to adjourn the Planning Commission meeting at 7:49 p.m. Commissioner Pitts seconded the motion. Commissioners Pitts, Grubb, Johnson, and Osborne voted yes. The motion carried.

APPROVED: _____ Date
Chairperson: Rob Osborne

Transcriber: Michelle Clark

Attest: _____
City Recorder: Elyse Greiner

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TIME COMMENCED: 6:00 p.m.

PRESENT: COMMISSIONERS:

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

CITY ENGINEER:

Brandon Jones

CITY PLANNER:

Barry Burton

CITY RECORDER:

Elyse Greiner

CITY MANAGER:

Tom Smith

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Laurie Gale, Martin Gale, and Mark Staples.

A Special Planning Commission Meeting will be held on August 24, 2017. The Planning Commission will also meet with the City Council on August 15, 2017 at 5:00 p.m.

Public Hearing on Rezone: for property located at 2666 E. Deer Run Dr. and approx. 7850 S. 2700 E. (Parcels 13-041-0062, 13-041-0118, 13-041-0068, 13-140-0010, & 13- 041-0115), approx. 2.35 acres, be rezoned from the Highway Commercial Zone (C-H) to Commercial Overlay Zone (C-O) and approx. 0.388 acres be rezoned from the Commercial Zone (C) to Commercial Overlay Zone (C-O) by applicant Laurie Gale: Commissioner Osborne said the C-O Zone is a mixed use zone. Commissioner Grubb said this property has struggled to be C-H at its location. Barry Burton feels commercial in this area is tough. Laurie Gale said she would need to change the application and take out Parcel 13-041-0115. She would like it to remain in the same zone. Martin Gale said unless it affects this application. Barry said he has had numerous individuals contact him about purchase of this property, but they aren't interested in commercial. Laurie Gale said the C-H Zone setback is 50', which makes it difficult to put anything on it. Commissioner Osborne said there are certainly ways to keep it commercial highway. He is concerned about this being a quick way to do apartments. Laurie Gale said they aren't looking at doing apartments but a daycare. Commissioner Osborne asked what is best for South Weber City. He said the master plan identifies that property as C-H Zone. Laurie Gale said it is difficult for commercial with this property being the size it is. She said she has reached out to commercial businesses and hasn't had any interest. She said with the shape and topography of the property it makes commercial difficult. Barry said this request complies with the general plan. Commissioner Grubb said we have spent a lot of time on the commercial overlay and the map identifies this property as mixed use. Laurie Gale said she has an interested

buyer who would like to put a daycare on this property. Commissioner Grubb said it would be a conditional use permit and will help the Planning Commission be able to control the space. He feels this spot should be a buffer for existing residents. Commissioner Johnson said daycare facilities are in demand. He feels a daycare center could work well in there. Laurie said the name of the company is ABC Great Beginnings.

Review Ordinance 10.11.050 General and Miscellaneous Provisions (Fences): (No discussion on this item)

Review I-84 Buffer/Trail Preservation Method: (No discussion on this item)

ADJOURNED: 6:00 p.m.

APPROVED:

_____ Date
Chairperson: Rob Osborne

Transcriber: Michelle Clark

Attest: _____
City Recorder: Elyse Greiner