

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 22 January 2015

TIME COMMENCED: 6:30 p.m.

PRESENT: COMMISSIONERS:

Delene Hyde
Rob Osborne
Wes Johnson
Rod Westbrook
Wayne Winsor

CITY PLANNER:

Barry Burton

DEPUTY RECORDER:

Elyse Greiner

CITY ENGINEER:

Brandon Jones (excused)

CITY MANAGER:

Duncan Murray

Transcriber: Minutes transcribed by Michelle Clark

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

PLEDGE OF ALLEGIANCE: Barry Burton

VISITORS: Randy Schreifels, Douglas Austin, Brent Poll, Buster Delmonte, Jeff Monroe, Blake Peterson, Denis Petersen, and Sage Ukena.

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

APPROVAL OF MINUTES OF 13 NOVEMBER 2014:

Commissioner Winsor moved to approve the minutes of 13 November 2014 as written. Commissioner Johnson seconded the motion. Commissioners Hyde, Johnson, Osborne, and Winsor voted yes. Commissioner Westbrook abstained. The motion carried.

DECLARATION OF CONFLICT OF INTEREST: None

Commissioner Westbrook moved to open the public hearing for Preliminary/Final Plan Application: Highmark Subdivision Amended located approximately on the southwest corner of South Weber Drive and 2700 E. (Parcel 13-292-0002 and a portion of 13-034-0051), 3.634 acres; Developer: Dan Murray, Murray Family Holdings. Commissioner

Osborne seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbroek , and Winsor voted yes. The motion carried.

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

Preliminary/Final Plan Application: Highmark Subdivision Amended located approximately on the southwest corner of South Weber Drive and 2700 E. (Parcel 13-292-0002 and a portion of 13-034-0051), 3.634 acres; Developer: Dan Murray, Murray Family Holdings: Dan Murray, Murray Family Holdings, said he has purchased lot 2 owned by Savage and another lot from Staker/Parsons. He said Lot 1 is the High Mark Charter School. He said lot 2 will extend to the frontage road. Lot 2 will be divided in Lot 201 & Lot 202.

Commissioner Hyde asked if there was any public comment.

Doug Austin, 2550 E. 7800 S. asked how far south the lot will come. Mr. Murray explained the existing boundary on the plat.

Denis Petersen, 8030 S. 2350 E., asked what will be on the lots. Mr. Murray said concerning Lot 201, he is under contract to sale to Maverik. Lot 202 he doesn't have a user for it. Mr. Petersen said he is concerned about the using Lot 201 for fueling diesel trucks. He is concerned about mixing that with school next door. He is concerned about sharing that easement with children who are being picked up. He is also concerned about the sale of alcohol. Mr. Petersen said those are the primary concerns from the charter school board. Mr. Murray then passed out a site plan for a Maverik. Mr. Murray said we have had preliminary conversations with UDOT with preliminary approval for two driveways.

Mr. Austin asked if there has been any discussion about a traffic light. Commissioner Hyde said, "no".

Brent Poll, 7605 S. 1375 E., asked if the city has jurisdiction on a stop light on a State road. Barry said "no".

Buster Delmonte, 8271 S. 2600 E. is curious about the signage and the vertical elevation.

Commissioner Hyde moved to close the public hearing for Preliminary/Final Plan Application: Highmark Subdivision Amended located approximately on the southwest corner of South Weber Drive and 2700 E. (Parcel 13-292-0002 and a portion of 13-034-0051), 3.634 acres; Developer: Dan Murray, Murray Family Holdings. Commissioner Winsor seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbroek, and Winsor voted yes. The motion carried.

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

Mr. Murray discussed the preliminary concept approval from UDOT on two driveways. He said the easterly was actually approved for lots 1 & 2. He explained that the shared driveway with the charter school will not have diesel access. Trucks will enter off of South Weber Drive and exit to the frontage road. He doesn't think trucks will be able to make the turn going east on South Weber Drive. Commissioner Hyde reminded those in attendance that this is a preliminary

and those plans have not been submitted to the City. She said when the school was constructed in that location, they knew the surrounding property is commercial.

Commissioner Osborne was concerned about this item skipping Sketch Plan meeting. Commissioner Hyde agreed and would like to see them go back to Sketch Plan. Barry said the city staff is comfortable with the approval of preliminary. Duncan said they can still request a Sketch Plan. Commissioner Osborne is concerned about the ditch because he knows it is there. Brent Poll said it doesn't exist anymore. He said the Poll family has a pressurized system now. Commissioner Hyde said the city does need a "will serve" letter for secondary water. She said that will need to be addressed before final approval.

Commissioner Westbrook moved to approve Preliminary Plan Application: Highmark Subdivision Amended located approximately on the southwest corner of South Weber Drive and 2700 E. (Parcel 13-292-0002 and a portion of 13-034-0051), 3.634 acres; Developer: Dan Murray, Murray Family Holdings subject to the following conditions:

- 1. All item completed on Brandon's Letter of 19 January 2015**
- 2. Resolve situation with secondary water**
- 3. Attend a Sketch Plan Meeting**

Commissioner Johnson seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

Commissioner Westbrook moved to open the public hearing for Rezone Application: Request from agent Jeff Monroe for applicant Warren Reynolds for 4.57 acres located at approximately 400 East Old Post Office Road (Parcel 13-018-0070) be changed from an Agricultural Zone (A) to a Residential Low-Moderate Zone (RLM). Commissioner Winsor seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

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

Rezone Application: Request from agent Jeff Monroe for applicant Warren Reynolds for 4.57 acres located at approximately 400 East Old Post Office Road (Parcel 13-018-0070) be changed from an Agricultural Zone (A) to a Residential Low-Moderate Zone (RLM). Jeff Monroe, 7965 S. 2175 E., representing Warren Reynolds, said the 4.75 acres is located at approximately 400 East Old Post Office Road. He is requesting a rezone from Agricultural Zone (A) to Residential Low-Moderate Zone (RLM).

Brent Poll, 7605 S. 1375 E., asked if the Planning Commission has had a chance to review the letter he sent. Commissioner Hyde said, "no" the Planning Commission just received the information prior to this meeting. Mr. Poll read item #28 (SEE LETTER). Mr. Poll said the contamination is there and what safeguards the residents from that contamination. He asked if anyone has read Hill Air Force Base review in 2013 concerning the contaminants. He asked how many people have vapor intrusion programs (VIP's) installed in their homes. He said HAFB hasn't made it mandatory to have VIP's but voluntary. He said approximately 90% are still at risk. He said the city is putting fellow residents and future residents at risk. He said landowners are responsible for the pollution under their grounds. He is frustrated that after twenty two years,

he still can't get the information that he needs from HAFB. Commissioner Hyde said HAFB did drill on Canyon Meadows property and we can only go off of the information that we have been given. Mr. Poll said he thought HAFB would eventually clean up the contamination and they are not. He said they haven't done any real remediation and extract the chemicals out of the ground. Commissioner Westbrook said those chemicals are not only in South Weber City but several cities west of us. Mr. Poll said of all the pollution out there, most of it went here in South Weber. He suggested the Planning Commission look at the facts. Mr. Poll is concerned that the EPA can come after him because the pollution passes through his property. He said there is a liability. He now has a skin disorder because of the pollution. He believes in what he is telling everyone. He has no doubt that people are not being put at risk. He said we haven't learned how bad this is.

Commissioner Johnson moved to close the public hearing for Rezone Application: Request from agent Jeff Monroe for applicant Warren Reynolds for 4.57 acres located at approximately 400 East Old Post Office Road (Parcel 13-018-0070) be changed from an Agricultural Zone (A) to a Residential Low-Moderate Zone (RLM). Commissioner Westbrook seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

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

Mr. Monroe said we understand Mr. Poll's frustration. He said we did research the plume maps. He said this property is out of that plume contaminate area. He has heard Mr. Carter's presentation. Mr. Carter's information was from 2004 and at the time it was 2013. Mr. Monroe said he has gone to Restoration Advisory Board. He said the EPA is monitoring. He understands Mr. Poll's concerns. Commissioner Johnson said with the plumes there were only three contaminants that were looked at. He is concerned about the other contaminants as well. He said Mr. Poll has some good points; he too is concerned that buyers of the property need to be told what contaminants are in the soil and that would require a phase 2 environmental assessment. He would suggest whoever wants to build is given a list of contaminants that are or are not on the property. Commissioner Osborne said isn't there contaminants everywhere.

Commissioner Osborne moved to recommend approval to the City Council for the Rezone Application: Request from agent Jeff Monroe for applicant Warren Reynolds for 4.57 acres located at approximately 400 East Old Post Office Road (Parcel 13-018-0070) to be changed from an Agricultural Zone (A) to a Residential Low-Moderate Zone (RLM). Commissioner Winsor seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

Zone Height Ordinance Discussion: The City would like to create a new ordinance on building height restrictions, which would be applicable in all zones. There is a current discrepancy in how to measure building heights that could pose future problems. Commissioner Hyde said Barry will draft an ordinance for the Planning Commission to review.

Highway Sign and Alcohol Proximity Ordinance Amendments Discussion

The City is considering two ordinance amendments. The first deals with the size and height allowances of highway oriented signs. The second ordinance amendment deals with the proximity of the sale of alcohol to public buildings. The Planning Commission is concerned

about the size etc. Barry will draft an ordinance for the Planning Commission to review. Commissioner Johnson feels the city needs to adopt its own alcohol ordinance. Commissioner Osborne said it was the schools intention, when it was built, to not limit that option.

Public Hearing Requirements for Subdivisions Discussion

In the past, the City's tradition has been to hold a public hearing with the Planning Commission and the City Council for new subdivisions; however it is not mandated by City or State Code. Commissioner Winsor doesn't feel there needs to be two public hearings. Barry said the State statute has changed again because of the burden it has put on cities and counties for two public hearings. He said the issue is that we have already determined in public hearings in the general plan and rezone that it is an appropriate use for the property. He said the statute has changed, so we don't need to hold a public hearing. The Planning Commission feels it is important to have public hearings. Barry feels the Planning Commission is the place to have it. It was stated the City Council can always hold a public hearing regardless of the Planning Commission. Duncan will ask the City Council and the next meeting what they prefer.

Moderate Income Housing Plan Discussion

Commissioner Hyde read the plan from Washington Terrace and she is wondering why the Planning Commission would want to do this. Barry said the Planning Commission did this as part of the master plan. Duncan said he wanted to make sure the city has met the requirement. Barry said a copy was sent to the State.

Updated Master Trails Plan Draft Review: Commissioner Johnson said once we adopted the City master plan, he took a look at the master trails plan and they didn't match. He went ahead and did a draft. Barry said it was part of the general plan update. Commissioner Johnson said we didn't identify how the trails will be built, etc. He said these are standard that came out of the National Trails Council. He met to discuss accessing trails. He said the Canyon Drive Trailhead should go down further to Old Fort Trail Trailhead to connect to the Weber River. He said at the meeting they discussed whether or not to go under or over the freeway. It was stated the website needs to be updated and not the general plan. Barry will work on a Master Trails Plan. Commissioner Johnson suggested a study of the trails.

Other Business:

Commissioner Winsor is appreciative of the details of the minutes. He feels they are easier to read. He also thanked the city staff for the packets.

Barry thanked Commissioner Hyde for her fearlessness, opinions, and the fantastic way she has conducted the meetings. The Planning Commission agreed. Commissioner Hyde said it has been approximately 16 years. She feels this is the best Planning Commission the city has ever had. She also thanked Barry for the opportunity to work with him and the city staff.

ADJOURNED: Commissioner Winsor moved to adjourn the Planning Commission meeting at 7:51 p.m. Commissioner Johnson seconded the motion. Commissioners Hyde, Johnson, Osborne, Westbroek, and Winsor voted yes. The motion carried.

APPROVED: _____ Date
Chairperson: Delene Hyde

Transcriber: Michelle Clark

Attest: _____
Deputy Recorder: Elyse Greiner

SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

DATE OF MEETING: 22 January 2015

TIME COMMENCED: 6:02 p.m.

PRESENT: COMMISSIONERS:

**Delene Hyde
Rob Osborne
Wes Johnson
Rod Westbroek
Wayne Winsor**

CITY PLANNER:

Barry Burton

CITY MANAGER:

Duncan Murray

DEPUTY RECORDER:

Elyse Greiner

Transcriber: Minutes transcribed by Michelle Clark

VISITORS: Sage Ukena, Blake V. Petersen, and Dennis Petersen.

Public Hearing and Action on Preliminary/Final Plan Application: Highmark Subdivision Amended located approximately on the southwest corner of South Weber Drive and 2700 E. (Parcel 13-292-0002 and a portion of 13-034-0051), 3.634 acres; Developer: Dan Murray, Murray Family Holdings.: Commissioner Hyde asked if there was a Sketch Plan meeting held for this subdivision. Elyse said Mr. Murray met with each person individually. Commissioner Hyde asked why? Barry said he met with several of us before hand but it wasn't a formal meeting. Barry said there is a staff report from Brandon. Commissioner Hyde is wondering if a lot of this stuff would have been caught prior if there would have been a Sketch Plan Meeting. Barry said most of it is engineering. He said we don't have any improvement plans for the water line. He said the property has roads on two sides with curb and gutter. He said the sewer line crosses through the middle of the property and will need to be moved prior to any construction. He said the developer wants that to be done when a developer comes in to develop. Barry said this is difficult because we don't know if it will work or not. Commissioner Osborne said the secondary water is not a will serve letter. He questions the easement of the ditch line that needs to be released from the Poll family that hasn't been done. Dan Murray asked Barry when the High Mark Charter School was approved if grades were addressed at this time. Commissioner Osborne said it was to the property line of the charter school. Barry said we need more information Mr. Murray said nothing shows up on his title report in regards to the easement with the Poll family. Mr. Murray said he asked for a will serve letter and that is what they gave him. Commissioner Osborne explained that the developer needs to bring the secondary water shares with this development because this property isn't included in the water district. Barry said that is part of the improvement drawings the city is requesting. Barry suggested giving preliminary approval but not final approval. Commissioner Johnson said the plans show three lots. Mr. Murray said there are two lots.

Public Hearing and Action on Rezone Application: Request from agent Jeff Monroe for applicant Warren Reynolds for 4.57 acres located at approximately 400 East Old Post Office Road (Parcel 13-018-0070) be changed from an Agricultural Zone (A) to a Residential Low-Moderate Zone (RLM):

Commissioner Hyde said on the general plan this property is identified as Residential Low-Moderate (RLM). Barry said there is RLM Zone on one side of this property and the RH Zone on the other. Commissioner Johnson said there are about two acres of wetlands. Barry said the developer is well aware of that. He said a geo-tech will need to be done on the property when they develop.

Zone Height Ordinance Discussion: Barry said when Sunrise Ridge came in and the Planning Commission started thinking about 25 ft. limitation, they realized there was difficulty in the way the height can be measured. He said different kinds of roofs also make a difference. He is proposing amending to average the grade around the finished foundation. Commissioner Winsor asked what is the definition of “average”? Barry said he can look at defining the average grade.

Highway Sign and Alcohol Proximity Ordinance Amendments Discussion: Barry said as the Planning Commission was looking at signs for commercial development, they thought they may be too restrictive. Commissioner Hyde feels it is a great idea. Commissioner Winsor is concerned about larger signs and feels billboards are a visual pollution. He is not for making them bigger or more of them. Barry said these are on premise signs. Barry said it is an accumulative sign. Duncan said it may not be one sign, but a collection of signs. Barry said this is class five signs. Barry said when he looked at the Highmark Subdivision it will be difficult to attract business to this location. Duncan said we are also talking about the I-84 entrance. Barry said the ordinance has been in place for years and we still don't have any commercial. Duncan said when some of these chain stores come in; they want to look at items such as this. Barry said if there is a C store on this property, the way the land is set, right now they couldn't sale alcohol, as per the State ordinance. Duncan said the city can adopt its own ordinance. He said we need to have an ordinance that wouldn't turn them away. Commissioner Osborne said the whole intent of the placement of the school was to gain the 600 ft. from door to door. Barry said the city can write an ordinance that would override the State code.

Public Hearing Requirements for Subdivisions Discussion: No discussion on this item.

Moderate Income Housing Plan Discussion: No discussion on this item.

Updated Master Trails Plan Draft Review: No discussion on this item.

ADJOURNED: 6:30 p.m.