

# SOUTH WEBER CITY PLANNING COMMISSION MEETING

**DATE OF MEETING:** 26 February 2015

**TIME COMMENCED:** 6:30 p.m.

**PRESENT: COMMISSIONERS:**

Debi Pitts  
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

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

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**PLEDGE OF ALLEGIANCE:** Commissioner Winsor

**VISITORS:** Rory Ukena, Robert Flinders, Shawn Flinders, Dan Murray, Jan Ukena, Blair Gardner, and Gary Girres.

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

**APPROVAL OF MINUTES OF 22 JANUARY 2015:**

Commissioner Johnson moved to approve the minutes of 22 January 2015 as written. Commissioner Osborne seconded the motion. Commissioners Westbrook, Johnson, Osborne, and Winsor voted yes. Commissioner Pitts abstained. The motion carried.

Commissioner Westbrook welcomed Debi Pitts as the newest member of Planning Commission.

**DECLARATION OF CONFLICT OF INTEREST:** None

**2015 Position Appointments – Chair, Co-Chair, Sketch Plan Liaison, City Council Liaison Schedule:**

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

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

Commissioner Johnson moved to appoint Wayne Winsor as the Sketch Plan Liaison. Commissioner Osborne seconded the motion. Commissioners Pitts, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

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

**Discuss Road Size in Proposed Udy Acre Subdivision; Bob Flinders:** Mr. Flinders, 7486 S. 1900 E., approached the Planning Commission. He would like to request the Planning Commission make a recommendation to the City Council concerning the road size for Udy Acres Subdivision. Mr. Flinders is requesting a variance to the size of the road from 70 ft. wide to 60 ft. wide. Commissioner Osborne isn't sure how to do that since it would be against City ordinance. Duncan suggested making a procedural motion to send it to the City Council. Mr. Flinders requested being put on the next City Council agenda.

Commissioner Osborne moved to send this to the City Council for their consideration with no action from the Planning Commission. Commissioner Winsor seconded the motion. Commissioners Pitts, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

**Action on 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, of Murray Family Holdings, approached the Planning Commission and stated he feels he has met all the necessary requirements of his final application. Commissioner Osborne is concerned about the sewer line. He said he isn't aware of any where in this City where a sewer line is on private property. He said Highmark Charter School was forced to move the sewer line into the street. Mr. Murray explained that either way the sewer line would be on private property because of the UDOT road in place. He said if you look at the plat there is an access on the south end of the property, so there will be an internal access road running on the south side. The thought was that there would be better access there than up along the landscape area. Barry said the discussion was whether or not we wanted it in UDOT's street and it was determined this location is an internal road and is an easement to the City. He said it would be slightly cheaper for the City to make any repairs. He said sewer service is on the north side of

the property and it became apparent that rather than make several cuts along the street it would be better placed there. Duncan said this is a little different because it is the City staff's conclusion that this was the best for the City long term. Barry said there will be a sewer line on the property with Sunrise Ridge because there is no other alternative. Commissioner Osborne said the problem is that several landowners had to put it in the road. He said Highmark Charter School had to move it. Barry said the school was going through what would be a parking lot and this development would not be a parking lot but a drive. Commissioner Osborne said his second concern is the water. He feels it should be in place before going before the City Council. Mr. Murray said he understands the ordinance requires secondary water, so he knows he has to provide that. He said he will have to get the water before he records the plat. Duncan said the letter in the packet from South Weber Water Improvement District states they will provide secondary water to Highmark Subdivision lots 1 & 2. Commissioner Johnson said the letter does state that South Weber Water District will provide the service. Commissioner Osborne said at the last Planning Commission meeting they discussed this being taken care of being it goes on. Mr. Murray said he wasn't under the impression that he had to acquire the water shares as a condition of the approval. Blair Gardner said the checks and balances are there for a reason. He said with their development a condition was placed on us that we needed the water before construction takes place. Barry said in every subdivision case we have certain things that are required from a developer, but some of those items can't be met until there is approval of a subdivision i.e. curb, gutter, sidewalk, etc. He said sometimes the City requires a bond for improvements so he sees this issue very similar to what they would require for any subdivision improvement. Commissioner Osborne asked about the approach on the amended plat for Lot #201 on South Weber Drive. Barry explained that this won't be determined until there is an actual user that submits a site plan and they will have to approach UDOT for access at that point. He explained that the reason the City can't approve that is because there is another access from 2700 East and shared access with Charter School. Mr. Murray explained that UDOT placed a requirement on the shared access and it is in writing. He said he is working with Highmark Charter School on getting a document recorded with the County.

Barry Burton's memo of 19 February 2015 is as follows:

**Zoning:** This is a commercial subdivision in a commercial zone (C-H). There are no zoning considerations.

**Plat/Layout:** The proposal is to take Lot 2 of the original subdivision add some additional property to it for a total of 3.6 acres and split that into two commercial lots. Both lots have frontage on South Weber Drive and one also has frontage on 2700 East. I have no issues with the lot layout. There are a couple of minor corrections that need to be made on the plat which will be explained in the City Engineer's review.

**Improvements:** There is an existing sewer pipeline that runs through the lots that will need to be realigned. The plat provides an easement for the realignment as well as a sewer line and a secondary water line. It is recommended that the sewer line stay in its current location until such time as there is a proposal to build on either lot, then relocate the pipe.

**Recommendation:** I recommend approval of this final plat subject to the plat changes recommended by the City Engineer.

Brandon Jones, City Engineer's letter of 25 February 2015

Our office has completed a review of the Plat and Improvement Plans for the High Mark Subdivision 1st Amendment received on February 24, 2015. We recommend final approval, subject to the following items being addressed prior to recording the plat.

#### IMPROVEMENT PLANS

1. The proposed secondary water lines are shown. An approval letter, prior to recording the plat, will be needed from the South Weber Water Improvement District indicating that sufficient water shares have been acquired and the infrastructure shown on the plans is approved.
2. A cash escrow account will need to be set up as a Guarantee for the required improvements. This will need to be established before the plat can be recorded. The developer's engineer will need to provide a cost estimate of the required improvements to our office for review and approval. City Code requires that the developer escrow for all of the improvements that have not been constructed, plus a 15% Contingency of those improvements remaining and a 10% Guarantee of the total improvements

**Commissioner Johnson moved to recommend approval of 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:**

1. **Items completed as per Brandon Jones letter of 25 February 2015.**

**Commissioner Winsor seconded the motion. Commissioners Pitt, Winsor, Johnson, and Westbroek voted yes. Commissioner Osborne voted no. Motion carried 4 to 1.**

Commissioner Osborne voted no because he would rather have it all in place before sending it to the City Council.

**Discussion on Amendments to Building Height, Highway Sign, and Proximity of Alcohol Sales Ordinances:** Barry Burton, City Planner, stated it is proposed that Section 10-1-10 Definitions (Building, Height Of) be amended as shown below. The crossed out text is the existing language and the red text is proposed.

**BUILDING, HEIGHT OF:** The vertical distance from ~~any finished surface grade to the highest point of any roof or coping~~ **the average finished grade at the building wall to the highest point of a flat roof; or to the deck line of a mansard roof; or the mean height level between eaves and ridge for gable, hip or gambrel roofs. The average finish grade is determined by averaging the highest and the lowest points along the foundation wall exclusive of recessed entries that are less than ten feet (10') wide.**

Barry explained that it is proposed that Section 10-9-4E be amended as shown below. The crossed out text is the existing language and the red text is proposed.

b. **Ground And Pole Signs:** One ground or pole sign per street frontage per business is allowed with a maximum area of thirty ~~(30) sixty (60)~~ **square feet plus two (2) square feet of sign area per ten (10) one (1) square foot per five (5)** linear feet of frontage on the street to which the sign is oriented. If the sign is on a corner lot and is placed so that it orients to both streets, then one sign is allowed with a maximum area of ~~sixty (60)~~ **one hundred twenty (120)** square feet plus ~~two (2)~~ **square feet per ten (10) linear feet one (1) square foot per five (5) lineal feet** of frontage on both streets. The absolute maximum area of any ground or pole sign for a single business is ~~two~~

~~hundred (200) square~~ **three hundred (300) square feet** except as noted in subsection E4c of this section. Where two (2) or more businesses are located within the same structure or in very close proximity in a commercial center type arrangement, ground and pole signs are limited to one sign per commercial center. That sign shall be for the purpose of identifying all businesses within the commercial center and shall have a maximum area of ~~fifty (50)~~ **one hundred (100)** square feet plus ten (10) square feet per business identified on the sign with an absolute maximum area three hundred (300) square feet except as noted in subsection E4c of this section.

**c. Pole Signs Within Four Hundred Feet Of Interstate 84 Or Highway 89:** Pole signs that are located within ~~four hundred feet (400')~~ **six hundred (600')** of Interstate 84 and Highway 89 and are oriented toward either of those highways shall be allowed a fifty percent (50%) increase in the sign area specified in subsection E4b of this section.

**6. Maximum Height:** Twenty five feet (25'), unless it is a flat sign attached to or painted on the building, in which case the maximum height shall be the same as the maximum height of structures allowed in the zone, or unless the property on which the business is located is within ~~four hundred feet (400')~~ **six hundred feet (600')** of Interstate 84 or Highway 89 in which case the maximum height shall be ~~forty feet (40')~~ **one hundred feet (100')**.

Commissioner Winsor questioned how the 100' height came about. Duncan explained that Yesco Signs put a balloon at 65' and 80' level and what they found for a sign to be reasonably visible, was that a sign would need to be at least 80' tall to be seen. Commissioner Winsor is concerned about the height and thinks there are other options such as, UDOT signs on the highway that state how many miles to a business etc. Commissioner Winsor is having a hard time with the 100'. He feels 75' would be reasonable. Commissioner Johnson said there will be homes on the south side that sit on the hill that will have a full view of the sign.

**Gary Girres, 2540 E. 7800 S.,** said he is concerned about the excessive height of a sign from Highway 89.

Commissioner Johnson said once a business is established, people will know the location and won't need a sign. Commissioner Winsor asked what research data are we trying to accommodate too. He would suggest going no higher than 75'. It was stated that maybe the ordinance should be different according to location. Duncan said the City Council is focused on economic development and when businesses look at property, they want to know about the sign ordinance. He said it needs to be something higher than 40'. Commissioner Winsor would like to see no higher than 75' on Highway 89. Barry would recommend no higher than 100' on Highway 84.

Barry discussed the State statute regarding the sell of alcohol. He explained that from the main door of a business selling alcohol to the main door of a public place, it can't be less than 600 ft. It has to be a minimum of 200 ft. from front door business to any point of the property of the public place. He said there is no provision to waive the requirement.

**Report on City Council Summit; Duncan Murray:** Duncan reported that the Summit was held on January 30<sup>th</sup> & 31<sup>st</sup>. He said the City Council did discuss economic development at the summit. The consensus of those present was that the City isn't going to be a Riverdale. He said

it is clear that this community doesn't want maximum sales tax base, but we still need to determine what South Weber wants. He would suggest economic development be consistent with what is in the general plan. He said the council did discuss a budget process, vehicle replacement plan, procurement policies, etc. He explained that the challenge has been the financial process with new employees in certain positions. He said the current staff is all very eager and open to suggestions. He feels the city staff is making progress and moving forward.

**OTHER BUSINESS:**

**Sketch Plan Meetings:** Commissioner Osborne requested that Sketch Plan Meeting times and minutes be sent to all Planning Commission members.

**Commercial Property:** Commissioner Osborne suggested looking at sports oriented businesses such as: fly fishing store, RV business, mountain bike shop, boat shop, etc. Commissioner Johnson said they have discussed branding South Weber.

**PUBLIC COMMENTS:**

**Gary Girres, 2540 E. 7800 S.,** suggested keeping height of signs down. He is also concerned about the commercial inlet on 2700 East. He said people going north on 2700 East travel quickly and there would be a concern with big vehicles coming out.

**ADJOURNED:** Commissioner Osborne moved to adjourn the Planning Commission meeting at 7:59 p.m. Commissioner Winsor seconded the motion. Commissioners Pitts, Johnson, Osborne, Westbrook, and Winsor voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date  
Chairperson: Robert Osborne

\_\_\_\_\_  
Transcriber: Michelle Clark

Attest: \_\_\_\_\_  
Deputy Recorder: Elyse Greiner

# SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

**DATE OF MEETING:** 26 February 2015

**TIME COMMENCED:** 6:02 p.m.

**PRESENT: COMMISSIONERS:**

**Debi Pitts  
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:** Bob Flinders, Shawn Flinders, Jan Ukena, Dan Murray, Blair Gardner, and Rory Ukena.

**Discuss Road Size in Proposed Udy Acre Subdivision; Bob Flinders:** Bob Flinders, 7486 S. 1900 E., stated the developer is planning a 70 ft. wide road back to the gate of the PUD located east of this proposed subdivision. He is suggesting a 60 ft. wide road. He explained that this is a road for six new lots and because it will connect to the PUD, there isn't going to be access. He feels a 70 ft. wide road is a waste of time and money. Mr. Flinders said he is looking for a little bit more privacy on the north side. He said he would be more than happy to give up 12 ft. when they subdivide but they want 22 ft. He said this would require a variance. Barry Burton, City Planner, said the City ordinance requires the road width of 70 ft. He said it wouldn't technically be a variance, he said the City Council can accept something different in the subdivision standards, but he understands it was the City Council who pushed the 70 ft. wide street to begin with. Mr. Flinders said he doesn't have a problem with the subdivision, but he is looking for more privacy. He would like the Planning Commission to make a recommendation to the City Council. Barry explained the statute requires that any zoning ordinance provision is appealed to an appeal authority, but subdivision provisions would be a City Council issue. Mr. Flinders said the City has taken close to a third of an acre from him over the years. Commissioner Westbroek said the asphalt width is the same. Commissioner Osborne is questioning whether this should request should even come before the Planning Commission. Barry said it can go to the City Council with or without the Planning Commission's recommendation.

**Jan Ukena, 7948 S. 2100 E.,** said the City has set a precedent because her family had the same issue with Art Ukena's property.

**Action on 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:**

Barry Burton, City Planner, said there are some items that may be conditions subject to from Brandon Jones, City Engineer. Commissioner Osborne is concerned about sending anything to the City Council that isn't complete. He feels the water is a big deal. Mr. Murray said he doesn't want to spend the money to purchase water if this project is not developable. Barry said the water will retain its value. Mr. Murray said he understands he will have to do that before he records the plat. Barry said it is a matter of timing. Jan Ukena said she serves on the South Weber Secondary Water District Board and this property is not in the South Weber Water District. She said Mr. Murray is not guaranteed a spot in the district.

**Discussion on Amendments to Building Height, Highway Sign, and Proximity of Alcohol Sales Ordinances:** Barry Burton, City Planner, stated he has reviewed the ordinance on building height. He discussed the building height being measured from the lowest point to the highest point of the structure. He said this can create some potential hardship on a builder where there is a lot of terrain. Barry proposed the following amendment to the building height requirement:

*The vertical distance from ~~any finished surface grade to the highest point of any roof or coping~~ the average finished grade at the building wall to the highest point of a flat roof; or to the deck line of a mansard roof; or the mean height level between eaves and ridge for gable, hip or gambrel roofs. The average finish grade is determined by averaging the highest and the lowest points along the foundation wall exclusive of recessed entries that are less than ten feet (10') wide.*

Blair Gardner, owner of Sunrise Ridge Subdivision, said he wants to make sure the language has the understanding of whether the back of the home has a daylight basement. He said if hardship of the terrain is aloud, then he thinks it would be fine. He asked if the Planning Commission can see a potential problem. Commissioner Osborne questioned whether it would be finished grade or existing grade. Mr. Gardner said they are required to have a finished grade of 2:1. Mr. Gardner then explained the issues the homes may have at the entrance of his subdivision off the frontage road. He said this will only affect the first two homes. He said that is why he would be asking for a variance for those two homes. Barry feels it warrants a variance. Commissioner Westbroek agreed.

**Report on City Council Summit; Duncan Murray:** Duncan will report on this item in the regular meeting.

**South Weber Coalition:** Elyse Greiner, Deputy Recorder, reported that the Planning Commission received a letter dated 6 February 2015 from the South Weber Coalition.

**ADJOURNED: 6:30 p.m.**