

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 20 July 2021 **TIME COMMENCED:** 6:02 p.m.

LOCATION: South Weber City Office at 1600 East South Weber Drive, South Weber, UT

PRESENT: MAYOR: Jo Sjoblom

COUNCIL MEMBERS: Hayley Alberts
Blair Halverson
Angie Petty
Quin Soderquist
Wayne Winsor

FINANCE DIRECTOR: Mark McRae

CITY ATTORNEY: Jayme Blakesley

COMMUNITY DIRECTOR: Trevor Cahoon

CITY RECORDER: Lisa Smith

CITY MANAGER: David Larson

CITY PLANNER: Shari Phippen

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Rod Westbroek, Steve Westbroek, Farrell Poll, Sherry Poll, Chris Pope, Paul Sturm, Patricia Poll, Brian Poll, Douglas McGarvey, Carter Randall, Mike Bastian, Nate Harmston, Brad Brown, Sky Hazlehurst, and Steve Rice.

Mayor Sjoblom called the meeting to order and welcomed those in attendance.

1. Pledge of Allegiance: Councilman Soderquist

2. Prayer: Councilwoman Petty

Mayor Sjoblom recognized City Planner Shari Phippen who worked for the city for the last six months. She thanked her for the incredible job she did working with city staff, City Council, and the Planning Commission.

3. 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 & address and direct comments to the entire Council (Council will not respond).**

Paul Sturm, 2527 Deer Run Drive, addressed his concerns that the developer of the Poll property requested a rezone from A to H-C instead of C-H. He questioned the ownership of the south-central portion of the Poll property and the designated zone. He admonished more than 30 units should have a second exit.

Mike Bastian, 7721 S. 1750 E., thanked the Mayor and City Council for doing a thankless job. He commiserated those decisions made are not always popular, but necessary. He appreciated their willingness to listen and converse with people and developers. He publicly thanked Mayor Sjoblom for how she has represented our community. He also requested a sidewalk at the top of 1900 East.

Emails were received from the following to be attached:

Lacey Westbroek, 7475 Jace Lane, CC 2021-07-20 #1 Westbroek
Terry George, 7825 S. 2000 E., CC 2021-07-20 #2 George
Vincent Pellegrini, 6874 S 700 E, CC 2021-07-20 #3 Pellegrini
Amy Sparkman, 2142 Deer Run Drive, CC 2021-07-20 #4 Sparkman
Julie Losee, 2541 E. 8200 S., CC 2021-07-20 #5 Losee
Terry George, 7925 S. 2000 E., CC 2021-07-20 #6 George
Lacey Loveless, 7475 Jace Lane, CC 2021-07-20 #7 Loveless
Shawna Code, 541 E Green Springs Way, CC 2021-07-20 #8 Code
Amy Mitchell, 1923 Deer Run Drive, CC 2021-07-20 #9 Mitchell

PRESENTATIONS:

4. Davis County Sheriff's Office Quarterly Report

Davis County Sheriff's Office (DCSO) provides law enforcement service to South Weber. Council has requested a quarterly report from the DCSO to review statistics including staffing hours within the city and relay significant events. The last presentation was April 27th.

Sergeant Chris Pope thanked those residents who complied with the recent firework ban in the city. They received only one call concerning fireworks. He reported he has been an EMS for 20 years and served South Weber City for 14 years. The weekly contract hours included 629 daytime hours and 565 nighttime hours for an average of 99.5 weekly hours. There were 701 calls, 9 arrests, 115 traffic stops, 16 citations, 32 violations, 17 radar enforcements, and 2 DUIs. 57.35% of the calls were initiated by an officer. Vehicle burglaries were down this summer with only 3 reported. He reviewed the 9 arrests which included: avoiding apprehension, possession of drug paraphernalia, revoked/suspended license, lewdness, and disorderly conduct/intoxication.

Significant events included: traffic-stop – restricted persons, vehicle burglary, suspicious-warrant fleeing, follow-up weapons offense, missing vehicle, sexual assault, trespassing-reckless burning, attempted burglary, warrant service, and family disturbance.

Sergeant Pope reported extra patrolling on Deer Run Drive and Old Maple Road have taken place. Councilwoman Petty reported graffiti on the canal and asked who is responsible for cleanup. Sergeant Pope believed it would fall to the U.S. Forest Service Area, but he will look

into that. Councilwoman Alberts asked why the number of citations compared to events was so low. Sergeant Pope surmised the deputies were being lenient with those who live in the community, but he suggested the residents should know the laws better than visitors. Councilwoman Alberts asked who is speeding on Old Maple Farms. Sergeant Pope reported most of those violating the speed limit live in South Weber City and 20-30% are outside residents. With DCSO presence and the new speed trailer, the larger problem is running the stop sign. It was suggested painted stop lines would remind individuals to stop. City Manager David Larson reported painting of Old Maple Road will take place this year. The street will be painted with the speed limit as well as lines narrowing the street which studies have demonstrated slows traffic.

ACTION ITEMS:

5. Approval of Consent Agenda

- **June 08, 2021 Minutes**
- **June 22, 2021 Minutes**
- **June 29, 2021 Minutes**
- **June Check Register**
- **May Budget to Actual**

Councilman Winsor moved to approve the consent agenda as written. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

6. Ordinance 2021-10: Rezone South Weber Gateway, Applicant Colliers International

Mayor Sjoblom reported South Weber City Council received an application from the owner and agent of Parcel 13-034-00681, located at approximately 2301 East South Weber Drive to rezone from Agricultural to Commercial Highway and Residential R-7. She reviewed the Planning Commission voted 4-1 to recommend approving the rezone as requested at its June 10, 2021 meeting. Commissioner Johnson voted against the motion but did not state his reasons. The Commission favored limiting the R-7 zoning to the portion of the property that will actually have residential on it rather than the total project acreage. The Commission also recommended including a rescind clause so that if the project does not proceed as presented it will revert to the original zoning. As the project proceeds, the Planning Commission advised the developer to pay particular attention to the traffic impacts as it relates to Highmark Charter School.

While the projected land use map from the General Plan has this property zoned commercial highway, it also requires a development plan/agreement in place allowing a residential component subject to review and approval by the city. The developer had discussions in prior City Council meetings regarding the residential densities that would be acceptable. 62 units fits within the density allowed on the R-7 portion of the property. City Manager David Larson clarified this item is strictly a rezone request and not a review of a concept plan.

Sky Hazlehurst, Collier International, thanked the Mayor and City Council for their time and appreciated concessions made on both sides. Farrell Poll divulged realtors have contacted numerous grocers over the last several years and have been told no by all of them. He noted residential is the desirable development right now and commercial properties are dying with vacant buildings in surrounding cities. He asked the City Council to remember that he and his

siblings have been life-long residents. He conveyed the Poll family wants a quality project. He hoped the desires of the family would be paramount in the Council's consideration.

Councilwoman Alberts asked about the acreage. It was explained Parcel 13-034-0068 at approximately 2301 E. South Weber Drive is requested to be rezoned as follows:

- a. 2.783 acres rezoned from Agricultural (A) to Commercial Highway (C-H)
- b. 8.861 acres rezoned from Agricultural (A) to Residential Multi-Family Seven (R-7)

Councilwoman Alberts supported a reversion clause as was suggested by the Planning Commission. City Attorney Jayme Blakesley suggested an amendment as follows:

Section 2. Site Plan Condition. This Ordinance is specifically subject to and conditional upon the following:

- a. a Site Plan for the Property must be approved by the City within 18 months of the date of this Ordinance. In the event a Site Plan is not approved or ownership of the Property is transferred to someone other than the applicants for this re-zone, the zoning designation of the property shall revert to Agricultural (A).

Sky explained why the final retail pad was in phase 3. Councilman Soderquist verified the pad would remain commercial even if demand was low. Councilman Winsor thanked the Planning Commission for their hard work. He discussed this being a transitional development between zones. He was not comfortable with the density and would be voting against the project.

Councilwoman Alberts voiced she was elected by the people and referencing the general plan survey results which were against high density, she verified she would vote "no".

Councilman Halverson opined the City Council put the owners in this situation by its unwillingness to come up with a development agreement. He averred R-7 in any other city is not high density. He added the family and developers have done their due diligence. He did not think this proposal was opposing the general plan.

Councilman Soderquist preferred retail commercial because he understood the benefit to the city, but he expressed commercial development has changed because of COVID. His main concern was safety for those coming to and from Highmark Charter School. He agreed with Councilman Halverson concerning the density and felt this is an appropriate area for the R-7 Zone. He proclaimed this proposal will be a benefit to the city and he favored approval.

Councilwoman Petty acknowledged this parcel has had much attention and emotion from all sides. She appreciated the comments from the Council and agreed R-7 is not high density. She expressed this property is an appropriate location for townhomes. She related her vote would be "yes".

Mayor Sjoblom described the history of this property. She appreciated the family and developer's willingness and patience in working with the city for the past five years.

Councilman Halverson moved to approve Ordinance 2021-10: Rezone South Weber Gateway by applicant Colliers International with the addition that a site plan for the property must be approved by the city within 18 months of the date of this ordinance. In the event a site plan is not approved, or ownership of the property is transferred to someone other than the applicants for this rezoning, the zoning designation of the property

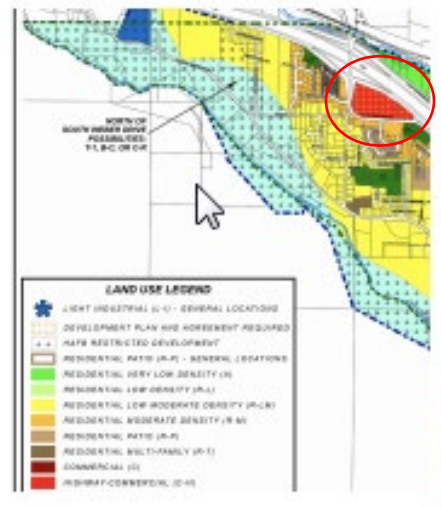
shall revert to Agricultural (A). Councilman Soderquist seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Petty, and Soderquist voted aye. Councilman Winsor and Councilwoman Alberts voted no. The motion carried 3 to 2.

7. Ordinance 2021-11: Rezone Stephens Exit, Applicant C&N Property Holdings LLC

Mayor Sjoblom reported South Weber City Council received an application from the owner and agent of Parcel 13-018-0090, located at approximately 475 East 6650 South, to rezone from Agricultural to Commercial Highway. The Planning Commission tabled the request on May 13, 2021 which was done in anticipation of the City Council taking up the land use matrix for deliberation. At the May 25, 2021 meeting, the City Council adopted the land use matrix. At the June 10, 2021 Planning Commission meeting, the commission voted 5-0 to recommend the Council approve the rezone request. The Commission had no considerations, formal or otherwise, for the Council.

General Plan Analysis

The image below is from the Projected Land Use Map of the 2020 South Weber City General Plan. The Stephens' property is in red in the top corner of the image. As you can see from the image and from the key, the property is projected to be rezoned to Highway Commercial.



The crosshatch on the property does indicate the city has the option to consider a master planned project on the property via a development plan/agreement which would require additional information from the developer and is not being requested at this time. A development plan/agreement is not required to process a rezone: it is simply another option available.

Councilwoman Alberts asked about the process of phasing with the crosshatching. City Manager David Larson discussed the developer bringing forward a proposal for a portion or all of the property would go through the development process. A development agreement will come forward as part of a preliminary plan with the City Council making the final approval. There are two types of development agreements (legislative and administrative). City Attorney Jayme Blakesley explained approving the rezone request will allow the developer to develop any use listed in city code for the Commercial Highway Zone. David indicated the property owner is

allowed to subdivide the property and the advantage of an administrative Development Agreement is to avoid a part and parcel development that is not cohesive.

Councilman Soderquist inquired if the zoning were changed, would it change the crosshatch. David responded no. Councilman Soderquist expressed the difficulty with not knowing what is going to be there with no concept plan. The City Council and Planning Commission have, in the past, requested rezone applications come forward with a concept so that the city has some assurance of what types of projects are intended for properties. He questioned the developer's desire to rezone without a plan.

Carter Randall, developer, explained he would like to have the zone identified so they can have confidence as they solicit businesses. If the uses fit within the permitted use, there should be no question as to their appropriateness. He would hate to plan a development project of professional services, for example, and have the city reject it. Councilwoman Alberts asked if locating potential buyers will be easier with the property being rezoned. Carter admitted it helps to have the zone in place. She referenced an earlier discussion when the developer stated it would be impossible to have a viable project with only commercial. Carter vocalized it will be riskier, but they are following the direction of the Council. Nate Harbertson emphasized the majority would require a conditional use permit, so the Council maintains control. Both developers emphasized this request follows the projected land use.

Councilman Halverson revealed the city put the developer in this situation but he was confident in the new land use matrix. Councilwoman Alberts agreed the Code Committee strove to reflect what the people wanted. Councilman Winsor echoed this request fits within the General Plan and complimented the Planning Commission. He announced he supported approval. Councilwoman Petty concurred.

Councilwoman Petty moved to approve Ordinance 2021-11: Rezone Stephens' Exit to Highway Commercial (C-H), Applicant C&N Property Holdings LLC. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

8. Resolution 21-39: Riverside Place, Phase 4 Final Plat, Site, and Improvement Plans, Applicant Scott Heagy

Mayor Sjoblom announced at the June 10, 2021 Planning Commission meeting the Commission voted 5-0 to recommend phase 4 final plat to the Council for approval. There were no conditions or suggestions made beyond the minor changes that were indicated in staff review memos. This property is located at approximately 6700 South Pebble Creek Drive (575 E 6675 S). This is the fourth phase in the subdivision and builds off previously completed phases. The project was reviewed by staff for compliance with all relevant zoning and engineering codes, standards and specifications and is fully compliant with all relevant standards except as identified by City Engineer Brandon Jones in his review letter.

Councilman Halverson questioned the type of fencing relating the problems with both chain link and vinyl. Parker McGarvey of Visionary Homes planned a vinyl fence on the east border of phase 4 next to the posse grounds. Councilman Halverson pronounced the existing chain link needs to be replaced and it was his understanding the developer was going to replace it. Councilwoman Petty asked about the ongoing trash problem in this development. David reported

the code enforcer could look into it. Parker verified they intend to be responsible developers and now that he was made aware of the trash issue, he would follow up.

Councilman Soderquist moved to approve Resolution 21-39: Riverside Place, Phase 4 Final Plat, Site, and Improvement Plans, Applicant Scott Heagy with the understanding developer must work out details of fencing with city staff. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

City Planner Shari Phippen commended Visionary Homes as a homebuilder that can be trusted based on personal past encounters.

9. Resolution 21-40: Auditing Contract

Mayor Sjoblom reported Keddington and Christensen are the current auditors for the city and have been for the last five years. They were originally contracted by the City Council in 2016 with a four-year contract for \$10,000 per year. That contract expired in 2019 but was extended for one year to do the FY 2020 audit, which ultimately was billed at \$12,500 due to its complexity. The city has no reservations concerning the professional services provided by our current auditors. The City Council met on June 22, 2021 and discussed options for this year's audit. The Council chose to sign a one-year contract with Keddington and Christensen at the new rate of \$12,000 per year and create a request for proposals (RFP) for auditing services in January 2022 in preparation for next year's audit. The City's auditors are chosen by the City Council and report directly to the City Council. A contract based on the June 22nd discussion was presented for approval.

Councilman Halverson moved to approve Resolution 21-40: Auditing Contract to award a one-year auditing contract to Keddington & Christensen, CPAs for \$12,000 and requested proposals in 2022 for future auditing services. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

DISCUSSION

10. Pickleball Donation Recognition

South Weber City received a significant number of donations from residents and businesses for an additional four pickleball courts at Canyon Meadows Park. The Parks Committee proposed methods of recognition including a monument, bricks, and court signs for the donors. The City Council reviewed photos of those tributes located in Kaysville. Mayor Sjoblom clarified everything will be paid for by donations. Councilman Halverson expressed this action is appropriate and has been done in other cities. Mayor Sjoblom discussed the importance of recognition and indicated it was an incentive to get donations. Councilwoman Petty was concerned how this might change the final project and wanted to make sure there is documentation of all donations and the breakdown of bronze, silver, and gold levels. Councilman Winsor reviewed the sizable loan from the city to complete this project and wanted to make sure any credit would return to the capital funds. He asked if the monument would allow for future donors. Mayor Sjoblom responded that additional bricks can be added but the monument would be only those donations prior to construction. Councilwoman Petty conveyed her desire as parks chair was for City Council approval as the monuments were not included in the phase 1

plans. Councilwoman Alberts expressed if it goes over budget, the deficit should be covered by donations. Council requested a delineation of donations and costs be attached to these minutes.

REPORTS

11. New Business

Country Fair Days Parade: Mayor Sjoblom queried if the application for the parade was submitted. Councilwoman Alberts assured it was.

Canyon Meadows Park Budget: Councilman Winsor reminded Council that the Cherry Farms Park ball diamond bid came in over budget and wondered if those funds should be applied to landscape Canyon Meadows Park. Councilwoman Petty reported Hogan Construction was contacted to get a bid. David acknowledged changes take place as different aspects of the project come up. He affirmed the city staff is working closely with the contractor to make sure the city is getting the most for their money. Councilman Winsor charged any improvements, betterments, or amendments to the scope of the project need City Council approval. David reported at this point there have not been any changes that needs to come before the Council and the Parks Committee has been included in the process. Councilwoman Petty asked for clarification on which items the Council would like to review. David indicated the Council approved a budget and the scope of the project, but staff handles the details of the project.

Intersection of 2700 East and South Weber Drive: Councilman Winsor requested the Public Safety Committee review the intersection of 2700 East and South Weber Drive and find out what would happen if the city were exposed to a liability claim and report back to the City Council. Councilman Halverson voiced the committee will tackle that issue.

Family Activity Center Air Conditioning (A/C) Concerns: Councilwoman Alberts followed up on her previous probe into the A/C at the Family Activity Center. David reported he met with Recreation Director Curtis Brown. He shared the A/C is controlled by the school district and the thermostat can only be adjusted three degrees up or down which creates areas that are hotter in the FAC. Councilman Halverson suggested the school district install more thermostats so the readings would be accurate to the full facility. Mark McRae reported the existing unit is being pushed to its limit. It was also noted that this summer has been unusually hot, and this problem is not new.

Public Comment Email: Councilwoman Alberts inquired about the status of the public comment email not working properly. Mark reported IT fixed the problem.

Canyon Meadows Park Boundary: David reported there is a retaining wall on the north side perimeter of the park which is essentially one foot off the property line. He announced the question is where to install the fence. He presented the possibility of a single boundary line adjustment and easement for locating the fence atop the wall. Council agreed. David discussed a second boundary line issue with the historical property marker and suggested a boundary line survey. Council agreed.

Metering Gravel Trucks Entering Hwy. 89: Councilwoman Petty received a request from a citizen concerning metering the gravel trucks as they jam traffic for extended lengths of time. Councilman Soderquist will pass this along to the gravel pit companies.

Senior Luncheons: It was decided Curtis should restart the senior luncheons.

12. Council & Staff

Mayor Sjoblom: announced the South Weber Utah Stake will have a float in the Days of '47 Parade in Ogden and will be in the Country Fair Days Parade as well.

Councilman Halverson: related the Public Safety Committee will meet Wednesday at 3:00 pm.

Councilwoman Alberts: shared the city website is anticipated to go live by the end of August. She requested the election information be placed as a banner on the city website. She thanked Trevor Cahoon for recent social media posts.

Councilman Soderquist: met with Geneva Gravel Pit who will be researching information for their rezone request. David articulated it was a constructive meeting. Councilman Soderquist reported both companies are trying their best to mitigate dust with the extreme summer months and drought concerns. Councilman Winsor asked if they shut down during high winds. Councilman Soderquist replied if the winds exceed a certain amount, they are supposed to shut down but there was no verification. Councilman Winsor noticed the various dust buckets located around the city and offered to have one placed at his home. David reported there is not a development agreement with Geneva but there is a dust agreement that requires dust monitoring. He anticipated bringing that process back to allow for additional data from Geneva.

Councilwoman Petty: related the Youth City Council will be helping with the Kids K Race for Country Fair Days and will be in the parade.


Councilman Winsor: offered the Code Committee will be presenting the Internal Accessory Dwelling Units. City staff are working on dust and lighting codes. Next priority is private roads and water wise landscaping. He added the Municipal Utilities Committee received six proposals for fiber and is currently reviewing the proposals.

City Manager David Larson: shared in August there will be an official employee introduction on the agenda. He announced the paramedic licensing process is underway and a letter was received from the Davis County Sheriff's Department relinquishing their license in the city. He advised there will be no City Council meeting on July 27th.

Community Director Trevor Cahoon: briefly introduced himself and stated he will be attending the next few City Council meetings. He expressed excitement to work with South Weber City.

Finance Director Mark McRae: verified the Procurement Policy requires Council review above 20% on change orders. He submitted the public works facility is eligible for American Rescue Plan Act (ARPA) funds for water and sewer.

ADJOURN: Councilwoman Alberts moved to adjourn the Council Meeting at 8:57 p.m. Councilwoman Petty seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

APPROVED:  _____ **Date** 08-24-2021
Mayor: Jo Sjoblom



Transcriber: Michelle Clark

Attest:  _____
City Recorder: Lisa Smith

Added to CC 2021-07-20 Minutes as requested by Council

South Weber Pickleball Donation Recognition

Bronze level: \$150 for each brick/\$300 for a double brick



Cement slab 40 inches X 16 inches X 2.5 inches

Silver level: \$2,000

Gold level: \$3,000



Wedge 30 inches X 44 inches X 12 inches

Half Court Estimate \$12,500



Court Sign 20 inches by 10 inches X 1 inch

Parsons for \$85,000 in kind donation Aluminum Sign 4 feet by 5 feet

Donor	Amount	Level
Parsons	\$ 85,000.00	Gold/Sign
Keith Kap & Sons	\$ 33,750.00	Gold/Court
ACI	\$ 30,000.00	Gold/Court
Wasatch Peaks	\$ 10,000.00	Gold
2/17/2021	\$ 50.00	
2/21/2021	\$ 1,000.00	Bronze Double
3/1/2021	\$ 150.00	Bronze Single
3/2/2021	\$ 1,000.00	Bronze Double
3/2/2021	\$ 500.00	Bronze Double
AT&T Sheet Metal	\$ 10,000.00	Gold
AQS Inc	\$ 3,000.00	Gold
3/2/2021	\$ 300.00	Bronze Double
3/4/2021	\$ 300.00	Bronze Double
3/8/2021	\$ 300.00	Bronze Double
3/17/2021	\$ 5,000.00	Gold
Geneva	\$ 3,000.00	Gold
4/4/2021	\$ 300.00	Bronze Double
4/5/2021	\$ 150.00	Bronze Single
4/8/2021	\$ 300.00	Bronze Double
Cambridge Crossing	\$ 2,000.00	Silver
4/17/2021	\$ 300.00	Bronze Double
5/21/2021	\$ 150.00	Bronze Single
5/21/2021	\$ 150.00	Bronze Single
6/25/2021	\$ 20.00	
Total Donated	\$ 186,720.00	

Item	Estimated Cost
2 court cells	\$ 60,584.00
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Wedge Monument	\$ 6,435.00
Court Signs	\$ 1,740.00
Aluminum sign	\$ 350.00
Tiles	\$ 685.00
Cement Foundation	\$ 350.00
Total Estimated Cost	\$ 130,378.00

CC 2021-07-20 CI #1 Westbrook

From: [Lacee Westbrook](#)
To: [Public Comment](#)
Subject: Poll rezone
Date: Thursday, July 8, 2021 5:51:10 PM

My comment is pretty simple please vote no. We don't want high density and R-7 is high density. We don't need the traffic nightmare it will bring. We don't want the added pressure to our aging infrastructure. We don't have the water to support our community in a drought as it is. Please vote no to the rezone.

Lacee Loveless
7475 Jace Lane

--

Lacee Westbrook Loveless

CC 2021-07-20 CI #2 George

From: [Terry George](#)
To: [Public Comment](#); [Jo Sjoblom](#); [Wayne Winsor](#); [Angie Petty](#); [Blair Halverson](#); [Hayley Alberts](#); [Quin Soderquist](#)
Subject: Public Comment Poll/Gateway Property Re-zone request 20 July 2021
Date: Thursday, July 8, 2021 2:41:56 PM

Public Comment for July 20th, 2021 Poll/Gateway property Re-zone request.

Honorable Representatives,

Regarding the Poll/Gateway zoning change from Agricultural to a mix of R-7 and Commercial: Just vote "NO."

It's that simple. The request does not align in any way with the General Plan and what the community wanted in that location. So, just vote "NO."

The General Plan is what should govern a zoning change request more than anything else. For the Poll/Gateway property the Citizens wanted Commercial Highway; ONLY. This proposal is not that. So, Just vote "NO."

The citizens do not want ANY mixed use in any way, shape, or form. This proposal has mixed use. So, just Vote "NO."

The citizens made it very clear they don't want another "Lofts" type development. To us citizens this proposal looks a lot like another "Lofts" type development. So, Just vote "NO."

To vote other than "No" on this proposed change is a blatant slap in the face to all those who participated in the General plan. So, just vote "NO."

I am NOT going to write my ideas or suggestions as to what we should do with the Poll/Gateway property as some of you and some of the planning commission suggest. The reason is, that I, along with many other citizens two years ago who wrote in, and spoke at city council about the Lofts, and the Road etc. were told: "you are only 20, and we have 7,000 citizens." Then it was only, 50, then only 100 etc. you get my drift. When we asked: "how do we make our voices heard?!" The answer was: "Inputs to the General Plan are what governs the build out of our city." So, about 600 of us participated in the general plan, and did so TWICE, just so you were sure we meant what we said the first time. And everything we put into the General plan is crystal clear that we want nothing like what is being presented to you for the Poll/Gateway property. So, Just vote "NO."

Now you say we can't sustain just commercial Highway on this property and you say you want to know our desires... well, You'd better not listen to people who just write in. You better not listen to 5, or 20, or 50, or 100, because those suggestions are not an official part of the General plan. What we need to do is an amendment to the General plan, for this and other Commercial Highway only zones that makes our citizen involvement official. That amendment would also be good time to discuss using only buildable acreage for calculations versus total acreage. But, for tonight, and for this proposal... It doesn't represent what we the people want at all. So, just vote "NO", Then we can work together to see what we do want there for our City.

Respectfully,

Terry "TG" George
7825 S. 2000 E.
South Weber Utah 84405

P.S. Just vote "NO."

CC 2021-07-20 CI #3 Pellegrini

From: [Vincent Pellegrini](#)
To: [Public Comment](#)
Subject: Poll/Gateway Project
Date: Thursday, July 8, 2021 7:51:25 PM

This is on behalf of myself and my wife. If the proposed development does not fit the general plan, and the general plan is the city's guiding document (and the council is considering deviating from the GP), can you please push out an amendment to the general plan to be voted on by the citizens?

I believe if you talk to citizens on a individual basis, and they understood what including the hillside acreage meant when it comes to calculation for housing density, the increased traffic and congestion it would cause on South Weber Drive, many citizens would not be in favor of the current proposal.

Thank you for the consideration you give to your constituents in these matters.

Best,

Vincent Pellegrini

CC 2021-07-20 CI #4 Sparkman

From: [amy sparkman](#)
To: [Public Comment](#)
Subject: Poll/Gateway zoning change
Date: Thursday, July 8, 2021 11:11:08 PM

Regarding the Poll/Gateway zoning change from Agricultural to a mix of R-7 and Commercial: Just vote “NO.”

It’s that simple. The request does not align in any way with the General Plan and what the community wanted in that location. So, just vote “NO.”

The General Plan is what should govern a zoning change request more than anything else. For the Poll/Gateway property the Citizens wanted Commercial Highway; ONLY. This proposal is not that. So, Just vote “NO.”

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To vote other than “No” on this proposed change is a blatant slap in the face to all those who participated in the General plan. So, just vote “NO.”

I am NOT going to write my ideas or suggestions as to what we should do with the Poll/Gateway property as some of you and some of the planning commission suggest. The reason is, that I, along with many other citizens two years ago who wrote in, and spoke at city council about the Lofts, and the Road etc. were told: “you are only 20, and we have 7,000 citizens.” Then it was only, 50, then only 100 etc. you get my drift. When we asked: “how do we make our voices heard?!” The answer was: “Inputs to the General Plan are what governs the build out of our city.” So, about 600 of us participated in the general plan, and did so TWICE, just so you were sure we meant what we said the first time. And everything we put into the General plan is crystal clear that we want nothing like what is being presented to you for the Poll/Gateway property. So, Just vote “NO.”

Now you say we can’t sustain just commercial Highway on this property and you say you want to know our desires... well, You’d better not listen to people who just write in. You better not listen to 5, or 20, or 50, or 100, because those suggestions are not an official part of the General plan. What we need to do is an amendment to the General plan, for this and other Commercial Highway only zones that makes our citizen involvement official. That amendment would also be good time to discuss using only

buildable acreage for calculations versus total acreage. But, for tonight, and for this proposal... It doesn't represent what we the people want at all. So, just vote "NO", Then we can work together to see what we do want there for our City.

Respectfully,

Amy Sparkman
2142 deer run dr
South Weber Utah 84405

P.S. Just vote "NO."

[Sent from Yahoo Mail for iPhone](#)

From: [Julie Losee - Mansell](#)
To: [Public Comment](#)
Subject: City Council Meeting - Public Comments for 7/20/2021
Date: Monday, July 19, 2021 4:02:20 PM

To South Weber City Mayor & City Council Members,

I want to take this opportunity to make my thoughts/comments clear – The motion for recommendation to approve the rezone request on the Poll Property came with 3 conditions. Adding these 3 conditions was the only reason I voted “Yah” instead of “Nah” for recommendation for approval to the City Council during the June 10, 2021 Planning Commission Meeting.

1 - A rescind/reverter clause was to be asked for/added by the City Council to ensure that zoning goes back to Agricultural Zoning should the Building Permit not be issued and the development not come to fruition.

2 - The Commission requested a Traffic Flow and Interface with Highmark Charter School - while school is in session - to be able to clearly assess the impact the current rezone request/proposal would have in that area. During school drop off/pickup, there are cars parked along the entire length of South Weber drive, that extends from the East side entrance to the school and extends all the way to the storage facility located on the west end of this proposed development 5 days a week, Monday - Friday. FYI - The 2021-2022 school year for Highmark starts on August 17, 2021.

3 - I specifically asked the Developer to look at the overall Proposed Residential density and consider lowering it, even if on just a portion of the requested Residential acreage. The Developer has come in at our Maximum allowable density of R-7 and I believe it is still too high for the area, especially on a parcel of land that in our General Plan has been identified as Commercial – Highway NOT Residential for future land use. It begs the question to be asked - Why is the majority of the available acreage being given to a zone that this parcel was never identified as potentially being?

I will fully admit that I was not as quick on the uptake with what Commissioner Johnson was saying early on during the Planning Commission meeting on June 10, 2021 about switching the 8.85 acres to Commercial and the 2.78 acres to be Residential. That miss was on me and I will own it! I would like to see the 20 units located in the middle of the proposed plan removed completely so that the units at the south end of the plan can be moved away from the hillside that appears to not even be in a buildable area and more open space and amenities can be added to the proposed plan that will be of benefit to our future citizens, who will live/shop here. If this is something that can be discussed/worked through with the Planning Commission during the Preliminary Plat approval stage, then so be it, but I wanted this brought up for City Council consideration at this stage, when the rezone is being requested. Once the rezone acreage is approved, we can't go back and change it!

I'm not trying to speak for Commissioner Johnson but his opposition was expressed very clearly as there is too much residential being proposed on a parcel of land that has always been identified as potential Commercial. He was opposed to identifying this property with the "Development Plan and Agreement required" as indicated on the General Plan - Projected Land Use Map. This designation makes this property an illegitimate "Mixed Use" zone,

which was highly objected to by our citizens.

Side note - Our code really needs to be looked at in order to establish a set ratio for these mixed-use/multi-zone type properties. It's an item that been discussed but no set percentages or Ratios have been established in our Code.

Did you know that Dutch Bros Coffee, which is one of the highlighted businesses on the Developers proposal, is currently under construction in Riverdale? What is the likelihood of Dutch Bro's Coffee also wanting to build a second coffee site in South weber, when we already have a coffee shop - Alpha Coffee - already approved, a Starbucks located within 1 mile to the North in Uintah, a brand-new Beans and Brews located in East Layton just off Hwy 193 and our local Maverick which also serves coffee and a variety of drinks? If additional Commercial development needs to come into our city, we can hopefully all agree that we all want it to be SUCCESSFUL!

Thank you for listening and for all that you do and for the consideration and efforts you give towards our city!

Julie Losee

2541. E. 8200 S.

From: [Terry George](#)
To: [Public Comment](#); [Jo Sjoblom](#); [Wayne Winsor](#); [Angie Petty](#); [Blair Halverson](#); [Hayley Alberts](#); [Quin Soderquist](#)
Subject: Re: Public Comment Poll/Gateway Property Re-zone request 20 July 2021
Date: Monday, July 19, 2021 5:37:06 PM

Please confirm this was received.

Thank you

TG

Sent from my iPhone

On Jul 8, 2021, at 14:41, Terry George <tggeorge13@icloud.com> wrote:

Public Comment for July 20th, 2021 Poll/Gateway property Re-zone request.

Honorable Representatives,

Regarding the Poll/Gateway zoning change from Agricultural to a mix of R-7 and Commercial: Just vote "NO."

It's that simple. The request does not align in any way with the General Plan and what the community wanted in that location. So, just vote "NO."

The General Plan is what should govern a zoning change request more than anything else. For the Poll/Gateway property the Citizens wanted Commercial Highway; ONLY. This proposal is not that. So, Just vote "NO."

The citizens do not want ANY mixed use in any way, shape, or form. This proposal has mixed use. So, just Vote "NO."

The citizens made it very clear they don't want another "Lofts" type development. To us citizens this proposal looks a lot like another "Lofts" type development. So, Just vote "NO."

To vote other than "No" on this proposed change is a blatant slap in the face to all those who participated in the General plan. So, just vote "NO."

I am NOT going to write my ideas or suggestions as to what we should do with the Poll/Gateway property as some of you and some of the planning commission suggest. The reason is, that I, along with many other citizens two years ago who wrote in, and spoke at city council about the Lofts, and the Road etc. were told: "you are only 20, and we have 7,000 citizens." Then it was only, 50, then only 100 etc. you get my drift. When we asked: "how do we make our voices heard?!" The answer was: "Inputs to the General Plan are what governs the build out of our city." So, about 600 of us participated in the general plan, and did so TWICE, just so you were sure we meant what we said the first time. And everything we put into the General plan is crystal clear that we want nothing like what is being presented to you for the Poll/Gateway property. So, Just vote "NO."

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Respectfully,

Terry "TG" George
7825 S. 2000 E.
South Weber Utah 84405

P.S. Just vote "NO."

CC 2021-07-20 CI #7 Loveless

From: [Lacee Loveless](#)
To: [Hayley Alberts](#); [Quin Soderquist](#); [Angie Petty](#); [Blair Halverson](#); [Wayne Winsor](#); [Public Comment](#)
Subject: Public comment
Date: Monday, July 19, 2021 6:48:03 PM

I am very concerned about The rezone on the city agenda for tomorrow. I've already written about the poll rezone before I knew the stephens property rezone would be on the agenda as well. We may not have commercial banging on our door today but I believe that it will come. With the new golf course, ski resort that will be just minutes from us in Peterson there will be a need for commercial in south weber eventually. If we really want to be the Gateway to recreation you need to leave the opportunities available to be just that. If we fill up our commercial land with HDH it will be a mistake.

Also I hope that when approving the final Riverside Trailer Park you hold that developer to every promise he originally made. The more corners he cuts the less likely it will be a great destination to stop and enjoy our valley.

Thanks

Lacee Loveless
7475 Jace Lane

CC 2021-07-20 CI #8 Code

From: [Shawna Code](#)
To: [Public Comment](#)
Subject: 7/20/21, Item #7, Shawna Code
Date: Tuesday, July 20, 2021 11:25:32 AM

As a neighbor to this parcel, I would like to respectfully suggest that a decision to rezone is postponed until the city is provided the concept plan that the city requested. At that point, the council and public can subsequently review and provide informed comments. By the wording provided in the packet (and excerpted below), a postponement in no way precludes the owner and/or developer from getting this property rezoned, it only lets them know that the city and the neighbors of the parcel expect and deserve transparency with regards to how the property will be used. The developer has offered no reason, let alone a compelling reason, that I can see in the packet as to why this rezone needs to take place without the concept plan made public. Rezoning with no concept plan makes me question what they are trying to hide, which may be nothing. I fully understand they may not be trying to hide anything; however, transparency makes a good neighbor.

Respectfully,
Shawna Code

"The applicant has not provided a concept plan, which the Commission and Council have requested accompany rezone applications. While a concept is not specifically required in a rezone application, having one allows the City to have some understanding of the developer's intent in pursuing the rezone. If the Council chooses to deny the rezone, the developer does have the option of submitting a new application and going through the rezone process again."

From: [Amy Mitchell](#)
To: [Public Comment](#)
Subject: Meeting 7.20.21
Date: Tuesday, July 20, 2021 1:27:38 PM

Amy Mitchell
1923 Deer Run Drive

Hello Mayor and City Council,

Looks like another packed meeting! Thank you to all of you for all you do for our beautiful city! A couple things I would like to give public comment on for this meeting:

1. Rezone for "South Weber Gateway": I see that this is before the council and while I think this plan is better than any of the others, I am still concerned about all of this being built on such a small piece of property and so close to the school. I wish we could push for a much smaller density. Is there a contingency plan for the commercial, especially in phase 3, that if we don't get the other commercial spaces filled, what happens to it? Can it just be landscaped rather than an empty, ugly plot of land. How does the city plan to address parking along South Weber Drive, especially during the pick-up for Highmark? That area is a hot mess during the afternoon and while it may not be Highmarks problem or the new developments problem... it is the City's problem. That area is getting more and more congested and rather than making more room in the roads, or providing decent parking or carpool options, we just keep applying a bandaid and pushing it off. The school zone needs to be addressed, as does the parking along South Weber Drive.

2. Rezone of the Stephens Property: I don't think any zone changes should happen to this area without some kind of concept plan attached to it. If we change it, we open our city up to who knows what without a plan. Let's not get duped into another blanket zone change until we know for sure what the plan is for that entire parcel. Why request a zone change without some idea. Please ask for it to be shared with the council first.

3. No Turn on Red sign: Can we please petition to have that sign changed to apply hours to it. Maybe it only applies during the peak daytime hours. I have sat there for what seems like an eternity in the evening with only one or two cars coming down South Weber Drive. It seems like it would be an easy fix to a stupid sign that never should have been place there.

We have an opportunity with these rezones to keep us a small community. Please take advantage of them and help us stay as close to the way we are as possible. Please apply a sunset clause to all developments that are reasonable, but could make the zone go back to AG if the development changes hands or isn't finished in a certain amount of time.

Thank you for your time and I look forward to another interesting meeting.
Amy Mitchell

Comments to South Weber City Council
for 20Jul21 Meeting
by Paul A. Sturm

Public Comments on Meeting Packet

Agenda Item #6 - Packet Page 90 of 138, Ordinance 2021-10: Rezone South Weber Gateway, Applicant: Colliers International.

I have several concerns with the information provided by Mr. Brad Brown and Mr. Skye Hazlehurst for this City Council meeting. I expressed these same concerns during the Planning Commission meeting of 10Jun21.

1) In the Zone Change Application, Brad Brown is requesting a rezone from A to H-C. SWC does not have an H-C zone. There is a Highway Commercial (SWC -C-H) zone, but, although this is only a transposition, it is inaccuracy in an official document.

Please Note: This inaccuracy was noted during my presentation to the Planning Commission meeting of 10Jun21 and still has not been corrected.

2) On page 97 of 138 (Green Area), I have a question regarding the south central portion of the property as depicted. It appears that a corner of this parcel, as shown below, should be "Residential" and would not have been designated as "Agricultural" as presented. It is also owned by Jennifer Hubbard, not the Farrell Poll trust. This needs to be reconciled. **Please Note:** This inaccuracy was also noted during my presentation to the Planning Commission meeting of 10Jun21 and still has not been addressed in this presentation to the City Council.

Parcel ID : 130340069

PROPERTY OWNERSHIP

Owner : HUBBARD, JENNIFER

Mailing Address : 2356 EAST VIEW DR

Mailing City : SOUTH WEBER

Mailing State : UT

Mailing Zip : 84405

GENERAL INFO

Parcel ID : 130340069

Site Address :

Site City :

Site Zip :

Tax Legal Desc : BEG AT THE NW COR OF LOT 33, ROYAL FARMS ESTATES PHASE 3 & CONTINUING S 65°50'02" E 105.47 FT; TH N 20°47'38" E 70.00 FT; TH N 84°30'9" W 109.15 FT; TH S 20°47'38" W 35.00 FT TO THE POB. (Cont...)

Acreeage : 0.127

3) On Packet Page 98 of 138, in Mr. Hazlehurst's letter at the first bullet, he states "Phase One of the project shall have a minimum of three retail pads constructed concurrently with no more than 33 townhome units. As depicted in Sketch Plan dated 5/24/21, Sketch number 7152-05". Once again the developers appears to not listen nor pay attention to what either the City Council and Planning Commission have told them in the past regarding this development. During prior presentations the developer was told on several occasions, by several members, that subdivisions with more than 30 units should have a second exit since this is a safety issue. [Please see SWC Code 11-4-4 (below), including Paragraph 3]. **Please Note:** This fact concerning a potential violation of City Code in the sketch plan was noted during my presentation to the Planning Commission on 10Jun21. This has not been modified for this City Council presentation. Mr. Hazlehurst acknowledged the City Code information regarding only 30 units with one exit during these meetings and presentations, also as pointed out by Councilman Winsor. Yet the developers come back with a statement (see above) and a sketch plan drawing that shows 33 units. This either appears to blatantly ignore the information provided by the City, or is possibly an attempt to circumvent SWC Code or push past its limits. Their response, during the Planning Commission meeting, to alleviate this issue made no sense, i.e., to push the lower road through the Phase 2 area yet to be addressed.

IAW Subparagraph A. of 11-4-4, the City may grant a waiver, under specific conditions, such as topography, that I believe does not apply to this parcel since a Phase 2 sketch plan is also being proposed at this time on adjacent land. I believe that this is a possibly another warning sign and believe the developer needs to be watched closely as this project proceeds.

11-4-4: STREETS, EASEMENTS AND NUMBERS:



A. Arrangement: The arrangement of streets in the new subdivision shall make provision for the continuation of existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided) at the same or greater widths (but in no case less than the required minimum width), unless variations are deemed necessary by the planning commission. The street arrangements must be such as to cause no unnecessary hardship to the owners of adjoining property when they plat their own land and seek to provide for convenient access to it. Proposed public streets shall be extended by dedication to the boundary of such property. Private rights of way or streets may be permitted by the planning commission if, in its opinion, the right of way is not needed as a public street to provide access to adjacent properties or to fulfill a recommendation of the general plan and the lots meet the provisions of the zoning title for private right of way development. Half streets along the boundary of land proposed shall not be permitted.

1. Every dwelling structure which lies farther than one hundred fifty feet (150') from a public street to the nearest point on the structure shall be accessible to fire department apparatus by way of an access road having all weather drivable and maintainable surface with not less than twenty feet (20') of unobstructed width and thirteen feet six inches (13'6") of vertical clearance with adequate turning radius capable of supporting the imposed loads of fire apparatus.

2. Dead end access roads in excess of one hundred fifty feet (150') in length shall be provided with approved provisions for a fifty foot (50') radius turnaround for the turning around of fire department apparatus.

3. Developments where the number of residential building units exceeds thirty (30) along a single street shall have a minimum of two (2) ingress/egress routes which are two (2) fully improved city rights of way. Thirty (30) residential units shall include all proposed residential units and all existing single-family buildings and lots, empty building lots, and each apartment unit located along a single road up to and including the nearest intersection with two (2) existing means of ingress/egress.

a. The City Council may grant a waiver to these regulations for more than thirty (30) residential units with one point of improved ingress/egress when unique topographic circumstances or "landlocked" (physically restrained from other access points) from adjacent, existing developments circumstances exist. A waiver of these regulations may require the City Council, with the recommendation of the City Engineer and Fire Chief, to apply additional development requirements to enhance public safety standards.

4. A development that extends more than one thousand eight hundred feet (1,800') from a connecting street will have a second ingress/egress. (Ord. 13-08, 2-26-2013)