

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 12 July 2022

TIME COMMENCED: 6:06 p.m.

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

PRESENT: MAYOR: Rod Westbroek

COUNCIL MEMBERS: Hayley Alberts
Joel Dills
Blair Halverson
Angie Petty
Quin Soderquist

CITY MANAGER: David Larson

CITY ENGINEER: Brandon Jones

COMMUNITY SERVICES DIRECTOR: Trevor Cahoon

CITY ATTORNEY: Jayme Blakesley

CITY RECORDER: Lisa Smith

PR ASSISTANT: Shaelee King

Minutes: Michelle Clark

ATTENDEES: Paul Sturm, Phil Holland, and Paul Peterson.

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

1. Pledge of Allegiance: Councilwoman Alberts

2. Prayer: Councilman Halverson

3. Public Comment:

Please respectfully follow these guidelines:

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

Paul Sturm, 2527 Deer Run Drive, charged a public hearing at the City Council level should be held for all rezone requests. He questioned why a site plan was not included with the Holbrook information. He voiced concerns with the patio homes being adjacent to Morty's Carwash.

PRESENTATIONS

4. New Employee Introduction – Erin White, Kyle Christensen, and Nate Robinson

(Moved to next City Council meeting)

ACTION ITEMS

5. Consent Agenda

- **June 14 Minutes**
- **June Check Register**
- **May Budget to Actual**

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

6. Transportation Capital Facilities Plan (CFP) 2700 E Area Concept

City Manager David Larson reported at the March 8, 2022 City Council meeting Wall Consultant Group (WCG) was selected to update the Transportation CFP. As part of the overall study, WCG was asked to analyze and provide more detailed recommendations for 2700 East. This is referred to as a sub-area plan. They provided a draft concept drawing which illustrates the projected needs for 2700 East through the year 2050. The final approved concept plan will be included in the final CFP and be used as guidance for the needs of 2700 East and design requirements for development along 2700 East. City Engineer Brandon Jones introduced Paul Peterson from WCG and announced the general guiding principles were to minimize congestion and maximize safety with convenience secondary.

Councilman Halverson questioned why a roundabout is needed at 7800 South. Mr. Peterson replied that roundabouts in general are safer by reducing the number of conflict points. The intent is to slow vehicles down as they enter the intersection. He added the need to eliminate the lefthand traffic out of Maverik. Mr. Jones pointed out the east lane creates an access point for future development east of 2700 E. Mr. Larson emphasized the need for safety as well as flow of traffic. Mr. Jones explained it is important to make sure residents can get in and out of the city while allowing commercial development to thrive. Mr. Peterson shared the advantage of a roundabout over a traffic signal. Trevor Cahoon expressed some of the major issues identified in the traffic study included the need for a double left from South Weber to 2700 E which would require a second lane to receive the vehicles. One issue led to another.

Mayor Westbroek did not favor the concrete median on 2700 East. He worried commercial traffic would be forced into the residential neighborhood. Mr. Jones expressed traffic can use the north access out of Maverik. Councilwoman Alberts echoed concerns with the concrete median. Mr. Jones indicated the raised median is the safest way to move traffic. Mr. Larson stated the city is not looking at acquiring more private property than the minimum necessary. Much of the property around the roundabout is yet to be developed, and it is all about timing and having a plan in place prior to any development.

Councilman Halverson reminded Council that the current service level in this area is below the goal and will only be degraded farther. Some of the upgrades may be needed before many years pass. Councilman Dills asked about a dedicated right turn from 2700 East onto South Weber

Drive. Mr. Cahoon shared it would require property acquisition and grading. Mr. Jones expressed the traffic study numbers do not indicate a need for it. Mr. Peterson stated a right turn arrow could be an option.

Councilwoman Alberts cautioned getting the plan as accurate as possible, so the impact fees are relatable. Mr. Jones stressed this will be the guiding document as development comes in. Councilman Soderquist asked how much the cost is for the various concepts. Mr. Jones replied he is willing to research and bring those numbers back to the Council. Councilman Soderquist shared concern about paying to move the city welcome sign twice. Councilman Halverson expressed moving the sign right now is an insignificant cost and this plan is through 2050. Councilwoman Alberts requested an estimate on the cost for a dedicated right turn from 2700 to South Weber Drive.

Councilman Halverson moved to approve the WCG Concept Plan dated 6/23/2022 as shown. Councilwoman Petty seconded the motion.

Councilman Halverson withdrew the motion.

Councilman Soderquist moved to continue the WCG Concept Plan dated 6/23/2022 providing time to compile the cost information and the priority of different features. Councilman Dills seconded the motion. Council Members Alberts, Dills, and Soderquist voted aye. Council Members Halverson and Petty voted nay. The motion carried 3 to 2.

7. Ordinance 2022-09: Title 4 Chapter 8 Noise Restrictions

In the May 24, 2022 City Council Meeting the City Council discussed the draft ordinance and made some minor amendments to the ordinance. In the discussion the City Council asked to get sample noise measurements throughout the community to get a gage on where the community is at. This is that information:

Location	Min (dB)	Max (dB)	Avg (dB)	Peak (dB)
2100 E South Weber Drive	49	71	58	75
Maverik along SW Dr	55	79	68	83
8300 S Deer Run Way	40	58	45	67
1900 E View Dr	43	64	50	69
2100 E Canyon Dr	46	86	71	91
Canyon Meadows West	38	62	42	71
385 E Old Maple Rd	40	60	50	65

Mr. Larson expressed this noise ordinance is very detailed so that it can be enforced. Mr. Cahoon said it is a tool for the Davis County Sheriff's Department as residents complain. City Attorney Jayme Blakesley discussed civil code enforcement.

Councilwoman Alberts moved to approve Ordinance 2022-09: Title 4 Chapter 8 Noise Restrictions. Councilman Halverson seconded the motion. Mayor Westbroek called for the vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

8. Ordinance 2022-10: Rezone at approximately 7800 S 2700 E from Commercial Highway (C-H) and Agriculture (A) to Residential Patio (R-P) by Applicant Phil Holland

This is an area in the General Plan that is at the discretion of the City Council to grant a rezone to Residential Patio (R-P) which can act as a transitional buffer to the commercial to the north and the lower density residential to the south. The applicant wishes to use the property as a multi-lot

patio home subdivision. The developer intends to continue through the development process but wants to proceed with the rezone request prior to engineering more of the project. A potential site plan is provided in the request but is not under consideration and the City Council needs to decide about the rezone request based on the allowed uses available within the RP zone and not based upon a project that has not been submitted in full. The Planning Commission did not forward a majority consensus. The decision was a split vote.

Applicant Phil Holland, owner of the property, voiced he owns several properties throughout Utah. He has researched this property and understands the history of it. He has commercial developments and does not believe this property is viable for a great commercial project because of its location. He opined patio homes are a great transitional use and very popular in Utah. He described a masonry fence between the commercial and a landscaped area would be maintained by a Homeowner's Association. The plan keeps traffic off 2700 East. He asked the Council to stay consistent with the city's General Plan. Councilman Dills identified Lot 7 creating an entrance very close to the intersection. Mr. Holland stated he is open to moving it further south. Councilman Soderquist asked if the city code controls how close a home can be to intersections. Mr. Jones replied the city has nothing in current city code. He discussed the proximity to the intersection could be a concern, but the traffic count from this development would be relatively low. Mr. Cahoon reminded the Council this concept plan has not been through the development process.

Councilman Soderquist asked Mr. Holland if he has tried to get commercial in this location. Mr. Holland replied he discussed this site to a handful of commercial developers, and they are not interested because of the population in South Weber City. Councilman Dills asked how much commercial space the city would lose from rezoning this property to R-P Zone. Mr. Larson replied it is 2.9 acres. Mr. Cahoon reported on cost estimates for commercial tax base in comparison to taxes received from residential. Councilwoman Alberts reviewed the city cannot control what type of commercial would develop. She expressed South Weber is a small city with a small pocketbook, which makes it difficult to eliminate commercial property. Councilman Halverson explained the reason for the cloud on the General Plan and announced he struggles changing the property from commercial. He did not agree with the property being Residential Patio. Councilwoman Petty agreed this property is very noticeable from the highway. She acknowledged the lights from the car wash are too bright for residential. Councilman Soderquist envisioned some sort of buffer from residential to commercial. Mr. Holland expressed the population is not increasing substantially enough in South Weber to beget commercial. It is not located on South Weber Drive. He asked for guidance from the City Council.

Councilman Halverson expressed he will not approve any rezone without a concept design plan. Mr. Cahoon reported the landowner requested a rezone prior to going further in the process. Mr. Holland announced he purchased the property based on the cloud that was identified on the city's General Plan. He asked if he could reapply if he amends the rezone request. Mr. Blakesley replied it is up to the City Council.

Councilman Soderquist believed if the property east was filled with commercial, then maybe this property would be viable in the future. He explained how Maverik has brought outside individuals into the city who are now eating at Burly Burger. Councilwomen Alberts and Petty refused to give guidance since the Council has been burned in the past. Councilman Dills understood Mr. Holland is very good at what he does and suggested he view this as a challenge.

Mayor Westbroek encourage a transition from residential on the south and commercial on the north. Mr. Holland revoked his application for rezone.

REPORTS:

9. New Business

911 Memorial: Councilwoman Alberts will discuss options with the PR Committee for South Weber's participation in the Davis Remembers 9/11 Project.

School Traffic: Councilwoman Alberts asked about a meeting with the schools regarding traffic patterns. City staff will set up a meeting with both schools. Two Council Members and the Mayor will attend.

Country Fair Days Parade: Councilman Dills asked if there needs to be regulations or requirements for the Country Fair Days Parade given the recent tragedy in Kaysville. Mr. Larson had discussed this with Tani Lynch from the Country Fair Days Committee, and she is looking at options similar to Farmington City's recent rules. Mr. Blakesley expressed the city needs to decide if they want to create a policy or leave it to the Country Fair Days Committee. The consensus was to leave it up to the Committee.

Uintah City Council: Councilwoman Petty was approached by a Uintah City Councilwoman who would like to set up an annual softball tournament. The Council agreed that would be a good idea.

Lights on the Morty's Carwash: Councilwoman Petty asked if the lights can be dimmed down at the carwash.

Planning Commission Stipend: The idea of increasing stipend rate for Planning Commission was readdressed. The Planning Commission members currently receive \$69 per month. Mayor Westbroek directed city staff to add an item on an upcoming agenda.

10. Council & Staff

Councilman Dills: thanked those who participated in the ribbon cutting ceremony for the pickleball courts.

Councilwoman Alberts: reported the Code Committee met to discuss the R-7 Zone and worked hard to pinpoint what the city is trying to attract. It appears most people are concerned with the quality of the product more than the density. HB 98 does limit what cities can regulate.


Councilman Halverson: shared the Public Safety Committee met and discussed future sidewalk needs. Digital speed limit signs will be added to Old Maple Road and 475 East. Councilman Soderquist questioned the location of the sign on 475 East. Councilman Halverson disclosed Sergeant Pope helped pinpoint the location of the signs.

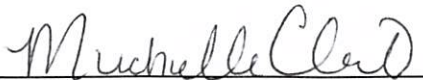
Mayor Westbroek: attended Weber Sewer District Board Meeting and they approved phase 2 of the bioreactor expansion program for approximately \$87 million.


City Manager David Larson: divulged animal care certified tax rate will switch to the county next year.

Community Services Director Trevor Cahoon: voiced Moderate Income Housing Plan options will be discussed at the Planning Commission meeting and they will make recommendations to the City Council. It must be in place by October 1, 2022.

ADJOURN: Councilwoman Petty moved to adjourn the Council Meeting at 8:46 p.m. Councilman Soderquist seconded the motion. Mayor Westbrook called for the vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

APPROVED:  **Date** 08-23-2022
Mayor: Rod Westbrook


Transcriber: Michelle Clark

Attest: 
City Recorder: Lisa Smith

CC 2022-07-12 CI #1 Eddings

From: [jeff.eddings](#)
To: [Public Comment](#)
Subject: Public Comment for Ordinance 2022-10: Rezone at approximately 7800 S 2700 E from Commercial Highway (C-H) and Agriculture (A) to Residential Patio (R-P) by Applicant Phil Holland
Date: Tuesday, July 12, 2022 3:34:53 PM

Jeffery and Stacey Eddings
2645 East 7800 South

In regards to the rezone request at approximately 7800 S 2700 E from Commercial Highway (C-H) and Agriculture (A) to Residential Patio (R-P) we would like to make a public comment.

It is in my opinion that it is not a good idea to shove 11 patio homes into such a small space with the current drought situation, along other factors. If we really want to get serious about water conservation, maybe we really shouldn't be constructing any new homes at all. People will just have to consider looking elsewhere or buy an existing home for their housing needs. Other reasons for not constructing 11 new homes is increased traffic in an area that is already heavily burdened, not to mention how bad it'll get when the Lofts are completed. Increased burden to the sewer system that will already be heavily taxed by the Lofts. Increased street maintenance, snow removal and infrastructure up-keep by a city that is always complaining that it doesn't have enough tax revenue to keep-up.

I suggest a mix of commercial and a couple homes to create a buffer between the existing homes. Maybe a single story professional complex that is comprised of medical and legal services, or similar that would be closed at night and weekends. Then two houses abutting that professional building and 7800 S. I feel this would be an ideal situation as the city still gets commercial with minimal impact to the residents on nights and weekends as the businesses would be closed and a couple new homes would act as the buffer. A situation like this would also minimize the problems I outlined above.

As an adjacent homeowner to this property, I feel that my comments should be carefully considered by the city council before making any decision on this rezone request. Myself, as do many residents feel that our concerns haven't been taken seriously by the planning commission and the city council in the past.

It is our belief that the South Weber governing body should put the concerns of the citizens first and foremost before the wants and requests of developers just looking to make a quick buck who don't even live here!

Thank you for your time.

Jeffery and Stacey Eddings
2645 E. 7800 S.
South Weber, Utah 84405
1-801-510-7791

From: [jeff eddings](#)
To: [Public Comment](#)
Subject: 7800 S. and 2700 E. Proposed Roundabout
Date: Tuesday, July 12, 2022 4:53:49 PM

I think someone has lost their mind.

ABSOLUTLEY NO ROUNDABOUT!

***Jeffery and Stacey Eddings
2645 E. 7800 S.
South Weber, Utah 84405
1-801-510-7791***

**Comments to South Weber City Council
for 12Jul22Meeting
by Paul A. Sturm**

Public Comments on Action Item #8 - Reference Packet Pages 102 to 105 of 105

8. Ordinance 2022-10: Rezone at approximately 7800 S 2700 E from Commercial Highway (C-H) and Agriculture (A) to Residential Patio (R-P) by Applicant Phil Holland

1) General Public Comment.

- A. I am confused about the SWC processes for Rezone Requests. Should not a Public Hearing be held in front of the City Council?
- B. I believe that this should be the case since this rezone action was forwarded by the Planning Commission to the City Council as a tie vote!

2) Public Comment on Page 102 of 105 of packet.

- A. The last paragraph of the "City Council Meeting Staff Report" states that a potential site plan was provided in the request. Why was this "potential site plan" **NOT** included in the packet? Although it is stated as not being a factor for consideration of a rezone, it has a great deal to do with the developer's intent and impacts to an existing business!!
- B. My concerns about this "Rezone Request" were stated in my Public Comments during the Planning Commission Meeting on 9Jun22. My basic concerns are restated, with some additions as a result of the Planning Commission meeting, and are shown below:
 - 1. One of my stated concerns was the fact that the property's proposed rezone to PH puts it directly adjacent to Morty's Car Wash. If the City considers approving the construction of Patio Homes on this Parcel in the future, the City will also need to address the numerous other issues discussed and agreed upon during the Car Wash approval process, particularly noise, lighting, and hours of operation. It appears that, if the SWC City Council approves this rezone, there will be an imminent conflict regarding elements of the pre-approved operation of Morty's Car Wash.
 - 2. The major conflict I see concerns the Noise Ordinance that was passed during the 14Jun22 City Council meeting, and the proposed Patio Homes proximity to the car wash. There will also be the obvious noise, lighting, and hours of operation issues that were previously addressed and approved by SWC.
 - 3. One must also remember what was initially presented to the City by Dan Murray for the development of the entire parcel. This development included Morty's Car Wash, to the north, which was the only development portion finally approved. To the south of the car wash, a set of light industrial buildings were proposed. These were intended to be a buffer between the car wash and the proposed housing further south and which were adjacent to 7800 South.
 - 4. I do not believe that this is fair to the car wash since discussions held during the Planning Commission meeting also indicated that any noise or light issues impacting the potential Patio Homes would potentially have to be mitigated by the car wash itself! The car wash was there first, and to legislate a change impacting the car wash, after the fact, is unconscionable!