

**Comments to South Weber City Planning Commission
for 10Oct24 Meeting for Public Hearing
by Paul A. Sturm**

Public Comments and Questions for Agenda Item #4 - Packet Pages 6-17 of 32

ACTION ITEMS

4. Public Hearing for General Plan Projected Land Use Map Amendment

PURPOSE

Public Hearing for General Plan Amendment, Development Agreement and Rezone request for Shane Turner, Cooper's Landing.

Public Hearing Comments:

- 1) Regarding a General Plan Amendment** - A General Plan amendment is a very serious action that should not be taken lightly! The General Plan was developed and voted upon by all of the citizens of SWC after months of meetings and several votes! I do not know if it is appropriate to change the General Plan for just one developer who has a piece of property that does not fit existing City code. It should also be noted that this is the second time this developer has tried to get City approval for this property and that request was soundly rejected by the SWC City Council on 23Jul24.
- 2) Regarding the proposed Development Agreement.** I have never seen, even in a preliminary document, such a poorly stated/incomplete Development Agreement. It appears to be just a shopping list! **There are also numerous discrepancies in what is being proposed:**
- a) The title says "**Coppers Landing Flex Space**". There is **NO FLEX SPACE** zone in SWC. It has been considered by the SWC Code Committee and rejected at this time.
 - b) **Paragraph 1** - Proposing an ADU is in violation of the City Code regarding ADUs! An **ADU** is **NOT** permitted in a Commercial zone as being proposed, only Residential Zones!
 - c) **Paragraph 2** - Development will have 4 individual structures. The graphic shown on page 13 of 32 only shows 3 structures. Why the difference?
 - d) **Paragraph 3** - These 3 **or** 4 structures could potentially have 32 units. The parking shown only shows about 32 parking spaces. This is in violation of City Code for Commercial.
 - e) **Paragraph 4 - Height limit of 35 feet** - This height would create huge walls on both sides of the development. Along 475, it would be similar to the building walls along 12th W. in Ogden, north of 12th street in BDO. Also, the residents of Freedom Landing, especially along Aspen Lane could have a 35 foot tall building 10 feet of of their property line!
To the Planning Commission - How would you like a 35 foot wall in your backyard completely blocking your view?
- 3) Regarding a Rezone Request** - This was discussed in my initial Public Comment portion of today's meeting concerning my Public Comments of 11Jul24. Once again Mr. Turner is requesting inaccurate zones. The current zone is "A" for agriculture, not R-1 for residential, and the "HC" zone requested does not exist in SWC!

Bottom Line: This request will require multiple SWC actions to implement!

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This addresses much more than the Action Item by inserting a subset stuck in the "Purpose" statement. It looks like a "Bait & Switch".

Comment: In all of my years of attending both PC & CC meetings, I have never seen so many items being pushed through during one meeting regarding a single project with the many associated interdependencies and three simultaneous changes being requested of the City.

1) I have some major questions and concerns regarding the material presented in the Packet. Page 6 of 32 from Staff shows a request being made for a rezone from "A" to "C-H" as shown below:

BACKGROUND

Property Information	
Site Location	Approximately 6526 S. 475 East
Tax ID Number	130060020
Applicant	Shane Turner
Owner	Shane Turner
Proposed Actions	Recommend approval or denial to City Council
Current Zoning	A (Agricultural)
Proposed Zoning	C-H (Highway Commercial Zone) Development Agreement
Current General Plan Land Use Classification	Residential Moderate Density (R-M)
Proposed General Plan Land Use Classification	Highway-Commercial (C-H)
Gross Site	2.2 Acres

2) The Zone Change Application shown on Packet Page 14 of 32 from Shane Turner shows a requested zone change from **R1 to HC**. The current zoning is **"A"**, NOT **R1**. Plus, there is **NO HC Zone** in SWC!

SOUTH WEBER CITY 1600 E. South Weber Drive South Weber, UT 84405 GP Amendment, Rezone Cooper's Landing 801-479-3177 www.southwebercity.com FAX 801-479-0364

FOR OFFICE USE ONLY

Fee paid \$ _____ Receipt _____ Date _____

Recommended by Planning Commission on: _____

Approved by City Council on: _____

ZONE CHANGE APPLICATION

Approx. Location: 6525 S 475 E Total Acres: 2.2

Parcel Number(s): See attached

Request: 2.2 Acres changed from R1 Zone to HC Zone

Acres changed from _____ Zone to _____ Zone

What Zone change is really being requested?

These discrepancies are the same type that I addressed during my Public Comments on 11Jul24, and still have **NOT** been corrected!

PAUL STURM - PUBLIC HEARING COMMENTS - 18 Oct 24

Please note that this updated material was released to the Public at 3:47 PM today! ~~one~~ ^{two} hour and 15 minutes prior to the Planning Commission meeting.

This does not provide sufficient time to review this new 16 page document and compare it with the previous information! ^{PF} ~~the~~ ^{FOR TURNER PROJECT}

Utah Public Notice

Documents Updated

- [PC 2024-10-10 Agenda.pdf](#) - 10/4/24 1:19 PM
- [PC 2024-10-10 Packet.pdf](#) - 10/4/24 1:19 PM
- [PC 2024-10-10 Addendum 1.pdf](#) - 10/10/24 3:47 PM
- [PC 2024-10-10 Addendum 2.pdf](#) - 10/10/24 3:47 PM

SHANE TURNER PROJECT
GENERAL RV PARKING

Planning Commission

Planning Commission Meeting 2024-10-10

Notice Date & Time: 10/10/24 6:00 PM

3. Conflicting Provisions

Development of the Project shall be in accordance with the City Ordinances in effect as of the Effective Date, and this Agreement and its Attachments. In the event of a conflict between the City's Ordinances and this Agreement, the more specific provisions of this Agreement and its Attachments shall control. In the event of a conflict between the Attachments of this Agreement and the main body of this Agreement, the main body shall control. ?

NEW P 4 OF AMMENDMENT 1

Utah Code Section 52.4.202 requires a 24 hour notice

NO-AGENDA ONLY

Challenge: The City Engineer has recommended that the Buffer Yard Landscaping be waived regarding an 8' wall and trees between the property lines without "just cause". The only requirement for General RV is a "6' Rhino Wall or similar". While there is a natural barrier between those on Harper Way and General RV, that natural barrier is owned by the canal company and may be removed tomorrow if they so desired. There will be no natural barrier between those on Raymond and General RV.

- New elevation of parking lot is 2+ feet higher than current elevation in addition to the RV that will be 8-14 feet tall along North boundary.
- New elevation along west end of Harper Way is 5+ feet higher than current elevation in addition to the RV that will be 8-14 feet tall.
- Along Raymond, North of Kingston will be leveled, with RV's 8-14 feet tall.
- The current site plan has lighting throughout the property, including along property line. The City Code indicates that "no light may be permitted where the light source is visible from adjacent property." [Title 10, Chapter 9, 10-9-4]

Suggestion: Keep to Title 10, Chapter 15, Section 10-15-14 of the Code of South Weber, UT for placement and height of mature trees as well as the 8' masonry wall standard.

Challenge: Even though the main entrance will go through the Public Works property off South Weber Drive, sheet CE1-01 has a gated entrance accessible from Kingston.

- With no sidewalk from the intersection of Raymond/6650 South to the first houses and a school bus stop at that same corner, the safety of pedestrians is a concern.
- To access this entrance, the only two ways to get there are through the intersection of Silver Oak Lane/6650 South and South Weber Drive/6650 South, which are both difficult turns for passenger cars, that are approximately 19' as opposed to 39.5' RVs (based on the average depth of stalls listed on sheet CE1-02). A 39.5' vehicle falls under the SU-40 category in the *The Green Book - A Policy on Geometric Design of Highways and Streets* by the American Association of State Highways and Transportation Officials and should have a minimum radius of 51.2 feet, which neither intersection appear to have.

Suggestion: Mandate that the access is to be used for emergencies only.

Challenge: Sheet CE1-01 calls out for "ROAD BASE PAVEMENT". The City Engineer addresses the concern of dust control and sediment from storm water into the expanded detention pond. [Jones & Associates Memorandum dated 01-Oct-2024, E7.iii] by placing "some type of long-term dust control".

- No plan or requirement is presented for maintenance after the initial treatment.

Suggestion: As stated by the City Engineer, paving will address this challenge. If this does not take place, putting a binding maintenance agreement in place that requires re-application at a minimum of once per year.







