

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 13 May 2021 **TIME COMMENCED:** 6:07 p.m.

LOCATION: 1600 E. South Weber Drive, South Weber, Utah

PRESENT: **COMMISSIONERS:**

Gary Boatright
Jeremy Davis (excused)
Wes Johnson
Julie Losee (via zoom)
Taylor Walton

CITY PLANNER: Shari Phippen

CITY ATTORNEY: Jayme Blakesley

CITY ENGINEER: Brandon Jones

DEVELOPMENT COORDINATOR: Kimberli Guill

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Paul Sturm, Fred Cox, Lute Morfin, Nicole Morfin, Tim Berry, Michael Grant, Stacy Eddings, Corinne Johnson, Carter Randall, Nate Harbertson, Joe Cook, Bob & Rolayne Collins, Henry DeVarona.

1. PLEDGE OF ALLEGIANCE: Michelle Clark

Commissioner Boatright excused Commissioner Davis from tonight's meeting.

2. Public Comment: Anyone requesting to comment live via Zoom must pre-register at the following <https://forms.gle/PMJFhYFJsD3KCi899> before 5 pm on the meeting date.

Comments will also be accepted at publiccomment@southwebercity.com

- a. Individuals may speak once for 3 minutes or less.**
- b. State your name and address.**
- c. Direct comments to the entire Commission**
- d. Note Planning Commission will not respond during the public comment period.**

Email received from **Brent Poll** (see attached)

Stacey Edding, 2645 E. 7800 S., referenced the Lofts off-site detention phase 1 depicted on page 52 of 223, (C410). She explained the note states *"Existing wooding fence is to be relocated to the property line where it overlaps"*. She opined the fence is located on her property based off the survey markers installed; however, if the fence is found not to be located on her property, she

would like to work out a solution to prevent relocating the fence. She expressed due to the way the ground level is behind the fence, and the location of the detention pond, she would like to meet with Mr. Cook, the contractors, or the engineer before excavation takes place to clarify some of their concerns.

Paul Sturm, 2527 Deer Run Drive, referenced agenda item #5 concerning the public hearing and action on rezone request for the Stephens property located at 475 E. 6650 S. He recommended against the approval of the rezone request due to the developer not providing South Weber City with concept drawings with the rezone request. He addressed agenda # 6 concerning the final plat and site improvement plans for the Lofts at Deer Run located at 7870 S. 2700 E. He expressed the reviews by the city engineer and city planner during the 17 December 2020 Planning Commission meeting indicated the various items have been adequately addressed; however, the final plats and site and improvements plans presented tonight are only a small subset of what was promised and agreed upon.

3. Approval of Consent Agenda

- **Planning Commission Minutes of 8 April 2021**

Commissioner Johnson moved to approve the consent agenda. Commissioner Walton seconded the motion. A roll call vote was taken. Commissioners Boatright, Johnson, Losee, and Walton voted aye. The motion carried.

Commissioner Johnson moved to open the public hearing for Preliminary/Final Plat, Improvement Plans & Rezone for Bryce Estates (2 Lot Subdivision) Located at approx. 370 E 6725 S. by Developer Nate Reeve. Commissioner Walton seconded the motion. A roll call vote was taken. Commissioners Boatright, Johnson, Losee, and Walton voted aye. The motion carried.

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

4. Preliminary/Final Plat, Improvement Plans & Rezone for Bryce Estates (2 Lot Subdivision) Located at approx. 370 E 6725 S. by Developer Nate Reeve

City Planner Shari Phippen reported she as well as the City Engineer Brandon Jones reviewed the request made by Nate Reeve and Seth Blair. The property being subdivided is located at 325 E. 6650 S. It includes approximately 1.5 acres and is currently zoned Agricultural (A). There is an existing home and other auxiliary buildings located on the property. The applicant is requesting to rezone the property to Residential Low Moderate (R-LM) and split the property into two platted lots.

The existing home will continue to front on 6650 South (Lot #1) and the new lot will front on 6725 South (Lot #2). 6725 South is a cul-de-sac that was built with Phase 1 of the Hidden Valley Meadows Subdivision.

The rezone is consistent with the General Plan. Lot #1 will continue to use their existing utility services. New utility services will be installed to serve Lot #2. Frontage improvements already exist for Lot #2 and no additional ROW needs to be dedicated to the road. However, ROW dedication for a 50' ROW on 6650 South and frontage improvements are required for Lot #1.

Commissioner Boatright asked if there was any public comment.

Timothy Berry, 331 E. 6725 S., voiced his concern with opening up the cul-de-sac and cutting into the asphalt. He was concerned about where the power and utilities will run through. He would rather see an easement through 6650 South and leave the fence required by Nilson Homes in that area. There are several kids who play in that cul-de-sac and adding another driveway is a safety issue.

Commissioner Walton moved to close the public hearing for Preliminary/Final Plat, Improvement Plans & Rezone for Bryce Estates (2 Lot Subdivision) Located at approx. 370 E 6725 S. by Developer Nate Reeve. Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Boatright, Johnson, Losee, and Walton voted aye. The motion carried.

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

Developer Nate Reeve expressed it is unfortunate the utilities were not stubbed in; however, he is working with the City Engineer Brandon Jones and the city standards will be followed for connection of the utilities. He explained there are two parcels which are under contract with Nilson Homes. This is one single family home with anticipation of minimal traffic.

City Planner Shari Phippen explained when a road is cut there are city standards for patching. City Engineer Brandon Jones concurred city code allows for development on city roads and described the process for patching the concrete.

Commissioner Walton moved to recommend approval to the City Council for Preliminary/Final Plat, Improvement Plans & Rezone for Bryce Estates (2 Lot Subdivision) Located at approx. 370 E 6725 S. by Developer Nate Reeve subject to the following conditions:

- 1. City Engineer's Review of 30 April 2021**
- 2. City Planner's Review of 13 May 2021**

Commissioner Boatright seconded the motion. A roll call vote was taken. Commissioners Boatright, Johnson, Losee, and Walton voted aye. The motion carried.

Commissioner Walton moved to open the public hearing for Rezone Request for Stephens Exit Located at NE Corner of 475 E & 6650 S by Developer Carter Randall. Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Boatright, Johnson, Losee, and Walton voted aye. The motion carried.

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

5. Rezone Request for Stephens Exit Located at NE Corner of 475 E & 6650 S by Developer Carter Randall: City Planner Shari Phippen reported this parcel is located on the corner of 475 East and 6600 South in South Weber City. The applicant, with consent of the developer, has applied to rezone the property from its present zone of Agricultural to Commercial Highway. They have not presented the City with a concept plan as to what they want to do with the project.

Shari explained the City Council and Planning Commission have, in the past, requested that rezone applications come forward with a concept so that the City has some assurance of what types of projects are intended for properties. The General Plan does anticipate this property as Commercial Highway. She acknowledged it is difficult for her to do a full evaluation without a concept plan.

Commissioner Boatright pointed out this is a legislative action.

Commissioner Boatright asked if there was any public comment.

Corinne Johnson, 8020 S. 2500 E., recommended the Planning Commission hold off on moving this forward to the City Council. She was concerned about amendments that are coming with the Commercial Highway Zone and felt the Planning Commission needed to be afforded the time to review those amendments before making a motion to move it forward.

Nicole Mortin, 464 E. 6650 S., disagrees with this application. She would like to know what is going in the field and how it will affect the future.

Commissioner Johnson moved to close the public hearing for Rezone Request for Stephens Exit Located at NE Corner of 475 E & 6650 S by Developer Carter Randall. Commissioner Walton seconded the motion. A roll call vote was taken. Commissioners Boatright, Johnson, Losee, and Walton voted aye. The motion carried.

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

Developer Carter Randall explained he cannot get users without knowing what the City will allow. He understood the City has been working on modifying the code. He voiced he was not asking for change in the code, but he can't supply a plan because uses are unknown. He reviewed he has presented several different plans in the past.

Commissioner Losee explained this has been a heavily discussed piece of land in South Weber City and the C-H Zone is in the process of being reviewed by the Code Committee.

Commissioner Walton noted on the General Plan it states development plan and agreement are required. He is currently serving on the Code Committee and is in the midst of reviewing what types of uses can be on this parcel. He indicated in the past plans have been presented, and he felt the City owes it to the developer to provide uses for this area. He suggested this being a priority for the Code Committee to review.

Commissioner Johnson expressed the City has not adopted the uses for the C-H Zone and he understood the developer needs that to develop a concept plan. He expressed the City needs to get the zoning completed and would suggest tabling this agenda item at this time.

Commissioner Losee asked Brandon how many acres are zoned C-H and how many are zoned agricultural on this parcel.

Commissioner Boatright clarified there is a C-H Zone in the ordinance that is currently defined. He was hesitant to approve a rezone without a concept plan because he has seen too many cities get burned without a plan.

Carter Randall expressed it is a large enough piece of property to master plan and it would be difficult to stick to that plan over time. He explained the City needs to be comfortable with the uses in the C-H Zone and then he will find the users. Commissioner Losee stated the Planning Commission is in the process of determining that. Timing is unfortunate but it is what it is, and she asked for some patience while the Planning Commission works through this.

Shari explained the City has 180 days from when the intention to modify the code change is noticed. City Attorney Jayme Blakesley explained this property has a portion of C-H Zone and the rest is Agricultural. Brandon Jones reported 4.7 acres is currently in the C-H Zone.

Commissioner Walton moved to table the Rezone Request for Stephens Exit Located at NE Corner of 475 E & 6650 S by Developer Carter Randall until the C-H Zone uses are better defined and the development process is defined for the development plan and agreement overlay. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Boatright, Johnson, Losee, and Walton voted aye. The motion carried.

6. Final Plat, Site & Improvement Plans for: The Lofts at Deer Run located at approx. 7870 S 2700 E by Developer Joseph Cook of Deer Run Development: City Planner Shari Phippen explained this agenda item is an administrative action item before the Planning Commission to either recommend approval or denial of the Final Plat and Site & Improvements Plans for the Lofts at Deer Run. In December 2020, the Planning Commission approved the architectural and landscaping plans as part of the approval of the preliminary plans. Because there were no changes to either plan that the Planning Commission required as part of the approval, they are not revisited by the Planning Commission as part of the final plan. Individual commissioners made comments about what they would like to see in the final, but there was not a vote by the commission putting any of those requests into place.

Shari reported she studied the City Planner and City Engineer reviews referenced in the 17 December 2020 meeting. She pointed out the motion did not require the applicant to change the architectural or landscaping plans other than identifying where the mechanical equipment would be, which the applicant did. Approval of the architectural and landscaping plans comes under the umbrella of Preliminary Site Plan & Improvements.

Shari explained preliminary plans and final plans have distinct requirements. Once a preliminary plan has been approved, those requirements are not reviewed again by the Planning Commission unless minor changes are needed. They are sent on to the City Council as part of a single, final packet. At final approval, the Planning Commission reviews only those items that are on the final plan requirements, along with any minor changes/corrections that were identified in the preliminary plan.

Request Approval Standards

The following points were raised by Brandon Jones, City Engineer and Barry Burton, previous City Planner. They needed to be addressed and submitted with the final plats and plans.

Mechanical Equipment Screening

- Building roofs are gabled, which will provide adequate screening for mechanical equipment.

Irrigation Plan

- An irrigation plan was submitted with final plans and has been reviewed/approved by the City Engineer.

Shari reported the final plat is compliant with all engineering and planning standards. The improvement plans have been reviewed and accepted by the City Engineer as meeting city standards where applicable.

Shari commented the City has received letters from Weber Basin Water Conservancy District, Davis & Weber Canal Co, and South Weber Water Improvement District. Those agencies have reviewed the plans and provided final approval letters. Specific construction requirements related to their services will be discussed and reviewed at the staff-led preconstruction meeting.

The architectural plans were reviewed and approved as part of the preliminary plat approval.

City code 10-5 and 10-7 require that projects over an acre in size receive a conditional use permit. For residential projects requiring a conditional use permit, the review and approval process is identical to the subdivision process. By approving the final plats & plans, the City approves the conditional use permit for the project.

A development agreement is required as part of the project. It was approved with the preliminary plan, with some needed amendments. The amended agreement does not come back to the Commission, but it will go to the Council for approval, along with the final plats & plans.

General Plan Analysis

Review of relevant portions of the General Plan were reviewed as part of the approval of the preliminary plat. There are no further General Plan considerations currently.

Staff Analysis

Based on review by myself, as the City Planner and Brandon Jones, the City Engineer, the final plats & plans for The Lofts at Deer Run are fully compliant with the requirements necessary to be recommended for approval to City Council.

City Engineer Brandon Jones Review of 30 April 2021 is as follows:

BACKGROUND

The Planning Commission gave preliminary approval to The Lofts at Deer Run on December 17, 2020. Our engineering review memo to the Planning Commission, dated December 7, 2020 covered all aspects related to preliminary review and approval, including: Approval letters, Title Report, Amended Development Agreement, Traffic Study, Parking, Geotechnical & Geologic, Environmental, Survey, Retaining Walls, Landscaping, Architectural, Utility Services, Fire Flow, D&W Canal, Plats, and Improvement Plans. For more details, please refer to that memo. Following approval, the developer has prepared final plans. Our office has completed several reviews of the Final Plats and Improvement Plans for The Lofts at Deer Run Development. The city staff has gone through 3 revisions of the final plans. The most recent and complete set is dated April 22, 2021.

GENERAL

E1. Approval Letters. We have received final approval letters from Weber Basin Water Conservancy District (WBWCD), Davis & Weber Counties Canal Company (DWCCC), and South Weber Water Improvement District (SWWID). Implementation of construction requirements will be addressed in the preconstruction meeting and during construction.

E2. Draft Amended Development Agreement. This was recommended for approval at the December 17, 2020 Planning Commission meeting. No further action is needed by the Planning Commission. This will move forward for final approval to the City Council with the rest of the development proposal.

E3. Phasing. The development proposal includes the final plats and improvement plans for 3 phases. Therefore, construction could take place in phases or all at once, but future approval of subsequent phases by the city will not be needed, once approved.

PLATS

E4. There is one overall plat, and individual condo plats associated with each building. These plats comply with the requirements in the code. We have no further comments.

IMPROVEMENT PLANS

E5. Just for your information:

A. All on-site improvements are private and will be maintained by the Owner.

B. The plans include phasing for each building. All grading and utilities necessary for each phase are shown independently.

C. The final design for all the retaining walls is included.

E6. We have no further comments.

STAFF ASSESSMENT

E7. The plats meet all requirements of City Code. The improvements meet City Standards where applicable and follow generally accepted design standards for all private improvements.

Developer Joseph Cook expressed he is willing to work with the surrounding neighbors with regards to fencing and thanked everyone for their time.

Commissioner Johnson questioned the amount of commercial. Fred Cox, architect for the project, stated there is approximately 4,000 sq. ft. facing the road which still has commercial.

City Attorney Jayme Blakesley explained the designated common area.

Commissioner Losee discussed wanting to see a full and complete Final Plat & Improvement Plans for this development. Fred Cox replied the developer has presented the plats and civil drawings which were reviewed by City staff and revised.

Shari explained there are items that have already been approved before this meeting and based on the Planning Commission action tonight it will all be put together for review for City Council.

Commissioner Walton asked if everything that was approved in preliminary matches the final. Shari stated yes. Commissioner Walton recommended the Code Committee develop a definition of preliminary plan. Commissioner Boatright agreed. He appreciated the developer's patience. He expressed there are many in the community who do not like this project, but he looks forward to the good people and welcomes those who will move into this development.

Commissioner Walton moved to recommend approval to the City Council for the Final Plat, Site & Improvement Plans for: The Lofts at Deer Run located at approx. 7870 S 2700 E by Developer Joseph Cook of Deer Run Development. Commissioner Boatright seconded the motion. A roll call vote was taken. Commissioners Boatright and Walton voted aye. Commissioner Johnson and Losee voted no. The motion failed.

Jayme explained the motion failed and will move forward to the City Council without recommendation from the Planning Commission. He expressed this is one of those situations where it can feel a little odd as a Commissioner because the perception is the Planning Commission is a gatekeeper of sorts to things that rise to the City Council. In this case, it is an application for a landowner for approval under a code provision that was in place at the time the application was made.

Commissioner Johnson explained his reason for voting no was the reduction of commercial from 27,000 square feet to 4,000. Commissioner Losee stated there is still so much that is not understood about this project and what it will ultimately look like is missing. She requested to see final plat site and improvements plan so that the citizens will know exactly what they are getting and what the Planning Commission is recommending for approval.

Commissioner Boatright moved to open the public hearing for updates to the following ordinances:

a. Title 10, Chapter 1, Section 10-A: Land Use Matrix

b. Title 10, Chapter 1, Section 10: Definitions

c. Title 10, Chapter 5: Zoning Districts

Commissioner Johnson seconded the motion. A roll call vote was taken. Commissioners Boatright, Johnson, Losee, and Walton voted aye. The motion carried.

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

7. Public Hearing & Action on updates to the following ordinances:

a. Title 10, Chapter 1, Section 10-A: Land Use Matrix

b. Title 10, Chapter 1, Section 10: Definitions

c. Title 10, Chapter 5: Zoning Districts

City Planner Shari Phippen memo of 27 April 2021 is as follows:

After the 2020 General Plan was adopted, the South Weber City Code Committee was tasked with reviewing Title 10, the SWC zoning code. Their overall goal of the committee was to suggest land use code changes in each zone for the SWC Planning Commission review and make recommendations to the City Council.

The documents included for review and recommendation to Council are as follows:

1. A redline copy of the land use matrix, showing what is current and what is proposed.
2. A clean copy of the land use matrix
3. A redline copy of the land use definitions, showing proposed changes to what is currently in City code.
4. A clean copy of the land use definitions a. Note on definitions: The definitions include all terms related to land use in South Weber City, which may or may not be specifically identified on the land use matrix. For example, "Acre" is defined but is not a specific use.
5. A redline copy of Title 10, Chapter 5, showing what is currently in code and what is proposed.
6. A clean copy of Title 10, Chapter 5
7. The current SWC zoning map
8. The projected land use map from the 2020 General Plan

Items 7 and 8 are not part of the proposed changes, but are provided for the Commission, Council and public to view for context on where zones are located throughout the City.

Permitted and Conditional Uses

On the land use matrix, each use is classified as either "Permitted (P)" or "Conditional (C)." There are a few key differences between permitted and conditional uses:

- Both permitted and conditional uses are allowed uses. The difference is in the level of review allowed and the ability for the City to identify and mitigate potential detrimental impacts caused by the use.
- **Permitted Uses:** these uses are those generally accepted to have impacts suitable for the zone in which they are located and do not require an additional level of review, unless the use otherwise requires a site plan, subdivision, business license or something similar.
- **Conditional Uses:** these uses are those which may have impacts the City should look at mitigating. Such impacts may include traffic patterns, dust, materials/chemical storage, or other similar things. The City reviews these uses and can set conditions which will mitigate detrimental impacts of the use. **The City may only deny a conditional use if the impacts cannot be reasonably mitigated.**
- Uses on the matrix that are not designated as Permitted or Conditional are not allowed in that zone. Uses not classified on the land use matrix are not permitted. Changes to the land use matrix go through the code amendment process.

Core Philosophies/Questions

In making land use suggestions, the committee discussed and deliberated the following core philosophical questions:

- (Residential/Commercial) Does the land use drastically alter the purpose and intent of the zone?
- (C) Does the land use bring needed services to the citizens of South Weber, primarily, as well as to surrounding communities?
- (R) Does the land use create a situation out of harmony with a residential neighborhood?
- (R/C) Does the land use serve the character and values of South Weber?
- (R/C) In the case of conditional uses, what are the possible detrimental impacts, and can those impacts be reasonably mitigated to not create a nuisance?

Additional Considerations

A few other key points to know regarding the documents:

1. **Some Uses Are Defined But Not Applied:** The code committee opted to define some uses that they feel are not appropriate land uses for South Weber City. The rationale behind this is two-fold:
 - a. It removes the potential for land use applicants to argue what something is based on a loose definition.
 - i. For example, something cannot be classified as a service station, which we would allow, if it meets the proposed definition of a truck stop, which we would not.
 - b. It allows the City to determine the difference between two uses that may be closely related, by tying the presence of amenities or something like the use and classifying it accordingly.
2. **Land Uses Have Been Removed From Each Zone and Put in One Location in Code:** The code committee determined that putting land uses and definitions in a single place provides staff, applicants, and elected/appointed officials with an easier method to review and compare where land uses may be located throughout South Weber.
3. **Certain Uses Are Statutorily Required:**

State and federal laws require that cities allow certain uses. The City is legally required to determine zones where those uses are allowed. If no zone is provided for those uses, they are permitted in every zone. State and federally required land uses are identified with an asterisk on the matrix.

Jayne pointed out State law requires a city to identify a zone to allow sexually oriented businesses and cannabis, otherwise you cannot prohibit them anywhere.

Commissioner Boatright asked if there was any public comment. There was none.

Commissioner Boatright moved to close the public hearing for updates to the following ordinances:

a. Title 10, Chapter 1, Section 10-A: Land Use Matrix

b. Title 10, Chapter 1, Section 10: Definitions

c. Title 10, Chapter 5: Zoning Districts

Commissioner Walton seconded the motion. A roll call vote was taken. Commissioners Boatright, Johnson, Losee, and Walton voted aye. The motion carried.

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

Commissioner Losee asked does South Weber City have to zone it in order to prevent it. Jayme replied that is correct. Commissioner Boatright thanked the Code Committee for all their time and effort. He averred this is well done and incorporates lots of lessons that have been learned over the years.

Commissioner Johnson appreciated the matrix but identified dairy not being allowed in agricultural. Jayme explained the definitions separate uses involving animals and horticultural. Commissioner Johnson questioned why farm stand is not included on the highway. Commissioner Walton pointed out farmers market is included. Jayme explained the difference between farm stand and farmers' market. Commissioner Johnson discussed including farmer markets into uses. He suggested allowing off highway vehicles be allowed in vehicle recreation. Commissioner Johnson asked about tiny homes. Jayme explained they fall under recreation vehicle.

Commissioner Walton asked the Planning Commission if they are comfortable with the uses in the C-H Zone. Shari expressed if there are changes it is within the Planning Commission prerogative to make those changes. The Planning Commission has the authority to make changes and suggestions independent of what the Code Committee suggests.

Commissioner Losee expressed given the lack of public support for a hotel in the C-H Zone, it should be a conditional use or removed. Shari clarified it is a conditional use in one zone.

Commissioner Boatright was comfortable with what has been presented. Commissioner Johnson would like to move forward but there are some requested amendments that have been discussed in this meeting. Jayme pointed out if the changes are simple, they can be included in the motion. Commissioner Walton was ready to move it onto the next level.

Commissioner Walton moved to recommend approval to the City Council for the updates to the following ordinances:

a. Title 10, Chapter 1, Section 10-A: Land Use Matrix

b. Title 10, Chapter 1, Section 10: Definitions

c. Title 10, Chapter 5: Zoning Districts

Commissioner Boatright seconded the motion. A roll call vote was taken. Commissioners Boatright, Johnson, Losee, and Walton voted aye. The motion carried.

8. Planning Commission Bylaws:

Commissioner Boatright recommended moving the Planning Commission Bylaws to the next meeting.

REPORTS:

Planning Commission Comments

Commissioner Boatright: thanked everyone for tonight's meeting.

Commissioner Losee: thanked the Code Committee for all their work.

ADJOURNED: Commissioner Johnson moved to adjourn the Planning Commission meeting at 8:10 p.m. Commissioner Walton seconded the motion. Commissioners Boatright, Johnson, Losee, and Walton voted aye. The motion carried.

APPROVED:  10-30-21 Date
Vice Chairperson: Taylor Walton


Transcriber: Michelle Clark


Attest: Development Coordinator, Kimberli Guill

**Comments to South Weber City Planning Commission
for 13May21 Meeting
by Paul A. Sturm**

Public Comments on Meeting Packet

- 1) Agenda Item #5 - Packet Page 26 of 223 - Public Hearing & Action on Rezone Request for Stephens Exit Located at NE Corner of 475 E & 6650 S by Developer Carter Randall.

As is noted in the SWC City Planners Staff review, in the Executive Summary, "The City Council and Planning Commission have, in the past, requested that rezone applications come forward with a concept so that the City has some assurance of what types of projects are intended for properties."

Please Note: Packet Page 16 of 223 (Agenda Item #4) demonstrates the proper procedure to request a property rezone as was done for the Bryce Estates request that included a Concept Plan.

* I recommend against approval of this rezone request due to the developer not providing SWC with concept drawings with their rezone request! The City has been "hoodwinked" by too many developers in the past to not require additional information as to their plans.

- 2) Agenda Item #6 - Packet Page 29 of 223 - Final Plats, Site & Improvement Plans for: The Lofts at Deer Run located at approx. 7870 S 2700 E by Developer Joseph Cook of Deer Run Development.

The reviews conducted by the SWC City Planner and City Engineer indicate that the various items to be addressed during the 17Dec20 Planning Commission Meeting have been adequately addressed. The Preliminary Plats, Site & Improvement Plans that were presented on 17Dec20 also need to be included by reference because the Final Plats, Site & Improvement Plans presented tonight are only a small subset of what was promised and agreed upon.

To: Planning Commission

Date: 13 May 2021

From: Jeffery P. and Stacey L. Eddings, 2645 E. 7800 S. South Weber, UT 84405

Ref: The Lofts Offsite Detention, Page 52 of 223, C410

We would like to address the Offsite Detention – Phase 1 that is depicted on page 52 (C410). We have issue with the note that states *“Exist. wood fence is to be relocated to the property line where it overlaps”*. We believe that the fence is located on our property based off the survey markers installed. However, by chance if the fence is found not to be located on our property we would like to try and work out a solution to prevent us from having to relocate the fence.

One solution we thought of was if Mr. Cook would entertain the idea of selling us as a small section of the land, a section that is roughly 6’ wide and 51’ in length and that would abut our small parcel to the south and the canals property to the north. By allowing us to purchase this small section of land we wouldn’t have to relocate our fence and based off the drawings it doesn’t look like it would interfere with any construction of the detention pond as that area looks to be just grass.

On another note, due to the way the ground level is behind the fence and that it seems like the detention pond is going to be literally up to our property line in one spot we would like to meet with either Mr. Cook, the contractors or engineers before excavation takes place to clarify some of our concerns.

Thank you for your attention and we look forward to hearing from Mr. Cook on this matter.

Jeffery P. Eddings
Stacey L. Eddings
801-510-7791
Jefferyeddings@yahoo.com

From: [Gary Boatright Jr.](#)
To: [Kim Guill](#)
Subject: Fwd: Publoic Hearings this evening.
Date: Thursday, May 13, 2021 4:29:44 PM

Kim,
Will you add this to the public comments for the meeting tonight.

Gary

----- Forwarded message -----

From: Brent Poll <Brent_Poll@hotmail.com>

Date: May 13, 2021 3:57 PM

Subject: Publoic Hearings this evening.

To: Wes Johnson <wjohnson@southwebercity.com>, Hayley Alberts
<hAlberts@southwebercity.com>, Blair Halverson <bhalverson@southwebercity.com>, Taylor
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Cc: "TAMASHIRO, PEIFEN T GS-13 USAF AFMC AFCEC/CZOM"

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<justin_poll23@yahoo.com>

Dear City Officials,

On the agenda for this evening's Planning Commission hearings are two more proposed subdivisions in areas known/identified to be polluted by HAFB. This has been well known and so documented for more than 30 years now. The 1991 Remedial Investigation precisely warns all concerned that the most "probable cause" of future human exposures to the Base's pollution would likely be through land use changes from low-density farm properties to enable higher-density subdivisions. This addition of more probable exposure for more humans (including the most vulnerable pregnant women, younger children and the elderly) within the known polluted properties, should be a condition PRECLUDED rather than ENABLED by our City officials. This could only be so when they adhered to State law and City Ordinances which required all of them to promote and safeguard the health and well-being of present and future residents of Cities and towns.

All the areas at issue in the west-end of our City are listed on the National Priority List (NPL) as being still one of the most imminently hazardous to human health in our entire Country. Not a single square inch of any portion of our City has been delisted from this NPL. Every single new owner/operator, and even all former owners/operators of every parcel of land in this

polluted area is (according to CERCLA) a Potential Responsible Party (PRP) with all the duties, responsibilities and potential liabilities that this designation entails. All lending institutions involved in such endeavors should, or at least deserve to be, also made aware of this condition

An injustice here is that some personal liability should be affixed to City officials who fail to study and appreciate the harm they generate rather than prevent when they make such horrible and avoidable misjudgments. If any or all of you wish to debate this matter again, I would welcome the exercise. All interested should be invited.

Please include this email as part of the hearing regarding the properties at issue and provide copies to those soliciting and funding the proposed land-use changes.

Brent Poll
South Weber
(801)479-3786

From: [Robert Osborne](#)
To: [Public Comment](#)
Subject: Planning Commission By-Lays
Date: Thursday, May 13, 2021 1:06:32 PM

Hello.

It is of my opinion that in part of the public clamor section: Citizens and Commissioners are not to be texting among commissioners and citizens and commissioner to commissioner during meetings. This allows for conversations to happen during the meeting that is not privileged to the whole citizenry and causes a conflict of interest.

I am hopeful that the city council will also apply the same type of by-laws to themselves and would recommend the planning commission encourage them to do so.

Thanks,

Rob Osborne