

## SOUTH WEBER PLANNING COMMISSION AGENDA

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PUBLIC NOTICE is hereby given that the Planning Commission of SOUTH WEBER CITY, Utah, will meet in an electronic meeting on Thursday, July 9, 2020 streamed live on YouTube, commencing at 6:00 p.m.

**OPEN** (Agenda items may be moved in order or sequence to meet the needs of the Commission.)

1. Pledge of Allegiance: Commissioner Walton
2. Public Comment: Anyone requesting to comment live via Zoom must pre-register at the following <https://forms.gle/PMJFhYFJsD3KCj899> before 5 pm on the meeting date. Comments will also be accepted at [publiccomment@southwebercity.com](mailto: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
3. Approval of Consent Agenda
  - a. 2020-06-03 Minutes
  - b. 2020-06-11 Minutes
4. Conditional Use Permit Review: CU 16-05 South Weber Soccer Facility by Kelly Parke
5. Discussion: Style Studios (similar & compatible use discussion by Tanya Jensen) located in Dan Murray South Weber Drive Commercial Subdivision at approx. 2530 E South Weber Drive
6. Discussion: Mountainside Plaza (buffer yard & setback discussion by Sam Sorensen & Fred Gunderson) located at approx. 2550 E 8200 S (East Frontage Road)
7. Planning Commission Comments (Boatright, Grubb, Johnson, Osborne, Walton)
8. Adjourn

In compliance with the Americans With Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder, 1600 East South Weber Drive, South Weber, Utah 84405 (801-479-3177) at least two days prior to the meeting.

THE UNDERSIGNED DULY APPOINTED DEVELOPMENT COORDINATOR FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED, EMAILED, OR POSTED TO: 1. CITY OFFICE BUILDING 2. FAMILY ACTIVITY CENTER 3. CITY WEBSITE [www.southwebercity.com](http://www.southwebercity.com) 4. UTAH PUBLIC NOTICE WEBSITE [www.pmn.utah.gov](http://www.pmn.utah.gov) 5. THE GOVERNING BODY MEMBERS 6. OTHERS ON THE AGENDA

**DATE: July 2, 2020**

**DEVELOPMENT COORDINATOR: Kimberli Guill**

# **SOUTH WEBER CITY PLANNING COMMISSION MEETING**

**DATE OF MEETING:** 3 June 2020

**TIME COMMENCED:** 6:03 p.m.

**LOCATION:** Electronic Meeting through Zoom

**PRESENT:** **COMMISSIONERS:**

Tim Grubb  
Gary Boatright  
Rob Osborne  
Wes Johnson  
Taylor Walton

**CITY PLANNER:**

Barry Burton

**CITY ENGINEER:**

Brandon Jones

**DEVELOPMENT COORDINATOR:**

Kimberli Guill

**Transcriber:** Minutes transcribed by Michelle Clark

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**ATTENDEES:** Dan Murray, Scott Mortensen, and Blair Halverson.

**PLEDGE OF ALLEGIANCE:** Commissioner Grubb

**Public Comment:** Written public comments must be submitted by email to [publiccomment@southwebercity.com](mailto:publiccomment@southwebercity.com). Comments must be received prior to the meeting start time. Subject line should include meeting date, item# (or general comment), first and last name. Comments without first and last name will not be included in the public record.

**Public Comments through Zoom are as follows:**

- 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

**Jeffery Eddings, 2645 E. 7800 S.,** voiced his concerns with the proposed Morty's Car Wash. He is concerned about the lighting and location of the business sign – static sign, flashing sign, etc. He would like to know how much lighting the bays will create and if they are on a timer. He is concerned about the noise from the car wash late at night. After he reviewed the plans, he noticed temporary fencing. He would like to see something more permanent. He requested shade trees be planted.

**Amy Mitchell, 1923 Deer Run Drive,** read from her recent email which was sent to the Planning Commission. She has reviewed the packet and she has several concerns in regards to

Morty's Car Wash. She brought up the inconsistency in the documents in which it stated there are three self-serve bays and three automatic bays, yet the drawings show four self-serve bays and three automatic bays. She is concerned about access by Maverik since it is near the dump station. She feels the car wash should have its own entrance and exit and should be a standalone business. She requested clarification on the type of fencing between the school and carwash. She hopes the sign is not big and bright. She also read Corinne Johnson's comments, 8020 S. 2500 E., who is concerned about east end of building that has no drawings and would like to know more about the landscaping.

**Paul Sturm, 2527 Deer Run Drive**, sent an email concerning the carwash. He questioned the easements from the pipeline company and storm drain. He would like to know if Brandon Jones, City Engineer, concerns have been addressed. He is concerned about increased traffic on 2700 East. He asked if an assessment of Reeves & Associates analysis has taken place. He is concerned about light & noise from the car wash. He would like to know how South Weber City is going to enforce the lighting. He asked who paid for the sound study. He is concerned about the hours of operation. He would like to know when the final letter from South Weber Water District be signed as well as the agreements with the pipeline companies. He is concerned about the distance for a vehicle to exit the premise.

#### **Approval of Consent Agenda**

- **Minutes of 9 April 2020**

**Commissioner Grubb moved to approve the consent agenda. Commissioner Johnson seconded the motion. Commissioners Boatright, Grubb, Osborne, Walton, and Johnson voted aye. The motion carried.**

#### **Final Subdivision Plat: South Weber Transition Subdivision (1 Lot & Remainder Parcel) approx. 4.2 acres zoned CH located at approx. 7700 S 2700 E on Parcel (13-034-0065).**

**Applicant Dan Murray:** Commissioner Osborne asked if the Planning Commission has any comments concerning this agenda item. Commissioner Grubb pointed out this is a one lot development but there is still a remainder parcel. He asked if there are any improvements that need to be required or escrowed, because there is an opportunity right now and that parcel may never be developed. Brandon Jones, City Engineer, suggested waiting. Barry Burton, City Planner, agreed to leave it be until a plan is submitted for that parcel.

Brandon pointed out the original legal description does not match the lot. The legal description for the rezone request should be used so that they match. Scott Mortensen stated he doesn't have a problem with that.

Blair Halverson suggested updating the plans. Barry explained the site plan, landscape plan, grading plan, etc. shows the correct boundary and matches the lot line as it has been expanded out. Commissioner Grubb read the legal description and it matched. Barry explained the rezone request description matched the lot line. Dan Murray stated he wants it to match and will make those adjustments.

Commissioner Walton asked if it is okay to approve a subdivision plat when the City Council has not approved the rezone request yet. Barry remarked the subdividing of the land is not dependent on rezoning in any way.

**Barry Burton, City Planner's, memo of 13 May 2020 is as follows:**

**PL 1:** The proposal has been altered from 3 lots to one lot with a remainder parcel. Lot 1, intended for a car wash, has been slightly enlarged to accommodate all the necessary vehicular circulation and access improvements.

**PL 2:** Curb, gutter and sidewalk are existing on 2700 East. Utility connections will be part of the conditional use/site plan for the car wash.

**PL 3:** I advise the Planning Commission forward this final plat to the City Council with a recommendation of approval.

**Brandon Jones, City Engineer's, read his review of 22 May 2020 is as follows:**

Our office has completed a review of the Final Plat for the South Weber Transition Subdivision, dated May 20, 2020. We recommend approval subject to the following being addressed prior to final approval from the City Council.

**PLAT**

**E1.** It is our understanding that there are two petroleum line easements: one for Phillips 66 (Pioneer Pipeline) and one for Holly Energy (formerly Plains All American Pipeline, formerly Rocky Mountain Pipeline).

a. The final plat needs to be submitted to both companies for their review. An approval letter from both companies is needed to verify that the easements have been shown correctly.

b. A signature line is needed in the Easement Approval block for both companies.

**E2.** The new storm drain easement needs additional information to clearly describe its location (e.g. dimensions along boundary, hatching, dimension of width, etc.)

Scott Mortensen reported the pipeline companies will be signing the final plat this Friday.

**Commissioner Grubb moved to recommend approval to the City Council for the Final Subdivision Plat: South Weber Transition Subdivision (1 Lot & Remainder Parcel) approx. 4.2 acres zoned CH located at approx. 7700 S 2700 E on Parcel (13-034-0065) for applicant, Dan Murray subject to the following:**

- 1. Barry Burton's review of 13 May 2020.**
- 2. Brandon Jones review of 22 May 2020.**
- 3. Previous request from C-H to C- Zone be changed to match lot 1 description.**

**Commissioner Boatright seconded the motion. Commissioners Boatright, Grubb, Osborne, Walton, and Johnson voted aye. The motion carried.**

**Final Site & Improvement Plans: South Weber Transition Subdivision Lot 1 (Morty's Car Wash). Applicant Scott Mortensen:** Commissioner Osborne asked if the Planning Commission has any questions concerning this agenda item. Barry addressed the mistake on the



plans concerning the number of bays. He communicated the developer is requesting three automatic bays and four self-serve bays. Commissioner Osborne is okay with the entrance from Maverik. Barry stated there is a signed access easement from Maverik. He pointed out a traffic engineer would agree it is better to have this entrance verses creating another entrance on 2700 East. Brandon agreed there can be confusion if there are two entrances. Commissioner Osborne is not sure how the dump station is Mr. Mortensen's problem. He is okay with the fencing because it meets the city code. Barry pointed out there is no code requirement for fence because it is not residential property. Commissioner Osborne does not feel a privacy fence makes sense when there is a chain link fence along Maverik. Commissioner Walton asked if there is a buffer yard requirement in between the school and the carwash. Barry stated there is no requirement. Commissioner Osborne stated the sign meets the city code. He asked Scott what type of sign it is. Scott explained it is within city code, and there is a LED monument display to update individuals of certain specials. Commissioner Walton is concerned about the light emissions coming off LED lights and being close to the roadway. Commissioner Johnson does not feel the distance is important next to the roadway, but there seems to be more concern with the residents. Commissioner Walton suggested at night not using white LED lights. Commissioner Osborne is not sure the size of this sign will be as blinding as other signs around the City. Commissioner Boatright agreed. He discussed the landscape plan on page 28. Barry pointed out there is a lot of rock mulch, sod along park strip, etc. He thinks it is a decent design; however, he is concerned about the plants along the pipeline easements and he doubts the pipeline companies will allow the large shrubs. Commissioner Grubb identified the northeast corner having a couple of trees. Commissioner Osborne discussed the turning radius and has not seen any evidence that it is not adequate. Barry stated the plans show the turning radius for large vehicles. He feels the turning radius is adequate. Brandon discussed the sewer handling what is being discharged. Commissioner Osborne noted Dan Murray has the will serve letter from the South Weber Water Improvement District. Brandon is requiring an approval letter from South Weber Water Improvement District stating how the developer is proposing to connect is okay. Discussion took place regarding the packet sent out today and the lack of some of the schematic elevations. Scott will forward that information to City staff. Commissioner Walton appreciates the aesthetics being carried over from Burly Burger & Little Caesars across the street. Scott reviewed the elevations on the screen. He also explained the lighting for the 24/7 bays. Discussion took place regarding the sound study. Commissioner Grubb asked about the sound study. Scott reported the sound study compared decibels from busy street traffic 70 dB, rustling leaves 10 dB, military jet takeoff 140 dB, and large orchestra 98 dB. He stated the air dryer will be located inside the bay which minimizes the sound. He discussed hours of operation being 24/7. Barry asked if the automatic bays and vacuums can be shut down at a certain time. Scott discussed the need for hours of operation to be 24/7. Barry asked if there will be dryers installed in the self-serve bays. Brandon asked about the location of the vacuums. Scott stated they looked at different locations and felt aesthetically they should go where they are currently located on the plan.

Discussion took place regarding the traffic study. Brandon explained the traffic study addresses increased traffic at the intersection of South Weber Drive & 2700 East as well as the entrances. Brandon was hoping that Nate Reeve, of Reeve & Associates, was in attendance to explain the traffic study, but he is out of town. Brandon referred to the traffic study which was conducted by Reeve & Associates. He reported the level of service is a range and the existing level of service is Level of Service C at the intersection. After the car wash is constructed, the proposed level of service is also a C. At the two access points the level of service is B, and after the car wash is

constructed the level of service is also B. He pointed out the numbers do not increase much at all. Brandon commented this is a study that has been stamped by a professional engineer, and he did not see anything in the study that would cause him to question the numbers. Brandon remarked the width of 2700 East is going to need to be increased. It has three lanes at the intersection, but it narrows down as you head south. He pointed out long term this road will need to have three lanes; however, this proposed development does not require 2700 East to go from two to three lanes. Brandon stated as property develops along 2700 East, the aggregate result is that it will need to be widened. He then discussed the importance of impact fees. He suggested once the general plan is updated and completed, he would recommend updating the Transportation Impact Study. This particular use does not require the widening of 2700 East right now, but future development along that street will require three lanes. Commissioner Osborne reiterated according to Reeves & Associates traffic study this development will not impact 2700 East. Commissioner Grubb addressed the width of the exit onto 2700 East. Brandon explained the southern access onto 2700 East is 32' wide. For a commercial application like this, especially contemplating future use on the rest of the property, he feels that the access should be as wide as the Maverik access (approx. 38'), and allow for two lanes out and one lane in. Barry commented what the developer is proposing with the access of 32' wide is adequate for this particular development. Brandon agreed and understands 32' is adequate. Commissioner Grubb discussed the Landscape Plan indicates 13.7% landscaping. The City Code (10-7-5B) requires 15%. Commissioner Boatright feels the 15% was put into the code for a reason. Dan Murray suggested if Scott increases the landscape buffer on the side by the school by 3' that will increase it to 15%.

**Barry Burton, City Planner's, review of 22 May 2020 is as follows:**

**PL 1:** The proposal is to establish a car wash with 3 automatic bays and 3 self-serve bays on Lot 1 of the South Weber Transition Subdivision. The Planning Commission previously recommended approval of a rezone on the property from C-H to C and granted preliminary conditional use/architectural site plan approval.

**PL 2:** Curb, gutter and sidewalk are existing on 2700 East. A water connection in 2700 East will be required. Sewer and storm drain are already stubbed into the site.

**PL 3:** Standards for approval are found in Section 10-7-3 D of the South Weber City Code. They are as follows:

***1. The proposed use shall not generate enough traffic to be detrimental to the immediate neighborhood.***

The Traffic Impact Study performed by Reeve and Associates indicates there will be no change in the level of service on 2700 E. nor at the intersection of South Weber Drive and 2700 E.

***2. The proposed development shall not overload the carrying capacity for which local streets were designed.***

See the comment above.

***3. Internal traffic circulation shall not adversely affect adjacent residential properties.***

There are no adjacent residential properties.

***4. Parking facilities location shall not adversely affect adjacent residential properties.***

There are no adjacent residential properties.

***5. Parking facilities shall be effectively screened from adjacent residential properties.***

There are no adjacent residential properties.

***6. The relationship of structures and parking shall be complementary to the aesthetics of the general area.***

This structure and its parking will be complimentary to Maverik adjacent to the north and should have no ill effect on any other adjacent property.

***7. The proposed sign(s) shall not adversely affect the development itself or the overall aesthetics of the general area.***

The proposed sign is a pole sign 16' in height and 48 square feet in area. That area is for one side, but according to our ordinance, we only count one side of a two-sided sign. Both height and area are well within Class 5 sign allowances. The sign is placed so that it will be blocked from view from nearby homes by the building. The sign will be similar in character to other signs in the area.

***8. The proposed landscaping shall be sufficient to enhance the aesthetic acceptability of the development.***

The landscape plan will provide for an aesthetically pleasing yard with an interesting design, a variety of appropriate plantings and good use of different rock mulches.

***9. The project shall be landscaped and maintained with a sprinkler system.***

An irrigation plan has been submitted that provides for appropriate plant watering throughout the site. Except for the grass park strip, the site will all be drip irrigated for a water-wise design.

**PL 4:** I recommend this proposal be forwarded to the City Council with a recommendation of approval as submitted.

**Brandon Jones, City Engineer's review of 22 May 2020 is as follows:**

Our office has completed a review of the following plans and studies:

- Final Site and Improvement Plans for Morty's Car Wash from Reeve & Associates, dated May 20, 2020
- Geotechnical Report from CMT Engineering, dated March 24, 2020
- Trip Generation Study from Reeve & Associates, dated January 27, 2020
- Traffic Impact Study from Reeve & Associates, dated March 23, 2020

- Photometric Study from Nichols Taylor, dated January 22, 2020
- Sound Study from Supreme West, dated March 1, 2020

### **STUDIES / EVALUATIONS**

- Geotechnical Study. No unresolved detrimental impacts were identified. Construction must comply with the recommendations of the study.
- Traffic Impact Study. The results of the TIS indicate no change in the Level of Service (LOS): “LOS of the existing accesses and roadways are projected to remain the same post construction.”
- Photometric (Light) Study. No significant detrimental impacts to the surrounding residential properties were identified.
- Sound Study. No significant detrimental impacts to the surrounding residential properties were identified.
- Sewer. Based on the 265,000 gal/month usage amount provided by Scott Mortensen, we have calculated 25 ERU’s for sewer. The existing sewer system has excess capacity sufficient to carry these projected flows.
- Parking. If a high intensity use is assumed, Section 10-8-5 of the City Code would require 14 stalls for the car wash. 25 are being provided. Therefore, sufficient parking is being provided.

### **RECOMMENDATION**

We recommend approval subject to the following items being addressed prior to final approval from the City Council.

### **GENERAL**

**E1.** Subdivision Plat. The car wash is proposed to be located on Lot 1 of the South Weber Transition Subdivision. The subdivision needs to be approved prior to approval of this site plan.

**E2.** SWWID Approval Letter. A Will-Serve letter has been received. Final plans need to be submitted to the South Weber Water Improvement District and an approval letter provided indicating that the improvement plans meet their requirements.

**E3.** Petroleum Lines Approval Letters. There are three petroleum lines that cross the property. Holly Energy (formerly Plains All American, formerly Rocky Mountain Pipeline) owns two lines, and Phillips 66 (Pioneer Pipeline) owns one. Final Plans need to be submitted to both companies and approval letters from both companies will be required.

**E4.** Architectural Review. According to Title 10, Chapter 12 of the City Code, the Planning Commission “shall determine if the proposed architectural and development plans submitted are consistent with this Chapter and with the purpose and objectives of this Title.”

**E5.** Conditional Use Permit (CUP). If there are specific conditions that the Planning Commission feel are required to mitigate any detrimental impacts of this development, these should be specified and made part of the recommendation to the City Council.

### **IMPROVEMENT PLANS**

**E6.** The southern access onto 2700 East is 32’ wide. For a commercial application like this, especially contemplating future use on the rest of the property, we feel that the access should be as wide as the Maverik access (approx. 38’), and allow for two lanes out and one lane in.

**E7.** The Landscape Plan shows using culinary water. Secondary water is being provided by the SWWID. The correct connection and service location needs to be shown. If connection into the road needs to be made, the City Standard patching requirements must be followed.

**E8.** The Landscape Plan indicates 13.7% landscaping. The City Code (10-7-5B) requires 15%. However, if the Planning Commission determines that “exceptional design and materials” have been used, then the requirement can be reduced to 10%, and the proposed plan would comply.

**Commissioner Grubb moved to recommend approval to the City Council for the Final Site & Improvement Plans: South Weber Transition Subdivision Lot 1 (Morty’s Car Wash) for applicant, Scott Mortensen subject to the following:**

- 1. Barry Burton’s review of 22 May 2020. Amending to three automatic bays and four self-serve bays.**
- 2. Brandon Jones review of 22 May 2020.**
- 3. Developer reach 15% landscaping as required by code.**
- 4. Recommend the color scheme of the gray tones be included on all four elevations.**
- 5. Recommendation based on rezone from C-H to C Zone.**

**Commissioner Boatright seconded the motion. Commissioners Boatright, Grubb, Osborne, Walton, and Johnson voted aye. The motion carried.**

**Conditional Use Permit: South Weber Transition Subdivision Lot 1 (Morty’s Car Wash).**

**Applicant Scott Mortensen:** This conditional use permit application is for car wash located south of 2577 East South Weber Dr. The anticipated number of employees is two with the anticipation of 200 customer daily. There are 27 available parking spaces. The hours of operation include open 24 hours a day, 7 days week.

Commissioner Osborne is concerned about the hours of operation. He was under the understanding that it would be closed at night. Commissioner Boatright agreed and pointed out several newly installed carwashes are not open during the night. He thinks the residents have concerns about that as well. Commissioner Johnson suggested setting a time of 6:00 a.m. to 10:00 p.m. at night. Scott explained there are individuals who have different schedules and might want to wash their cars at 5:00 a.m. He pointed out they have security cameras. Commissioner Osborne asked how many people are really washing their vehicles in the middle of the night. Scott estimated 5%. He suggested going with allowing the carwash to be open 5:00 a.m. to 11:00 p.m. Commissioner Walton discussed a sound study was completed and there is considerable distance to the nearest resident. Commissioner Grubb asked if this can be reviewed in six months based on sound or complaints. Commissioner Boatright does not see the need to keep it open 24/7. Scott would like to have the same rights or abilities that Maverik has of being open 24/7. Commissioner Osborne suggested being open 6:00 a.m. to 10:30 p.m. and in six months from opening the hours of operation be reviewed. Scott suggested the hours of operation from 5:00 a.m. to 11:00 p.m. Commissioner Grubb pointed out the self-serve bays will be open 24/7. Commissioner Osborne is okay with operating hours from 5:00 a.m. to 11:00 p.m. for the automatic bays with a review in six months. Commissioner Boatright is concerned about how this will affect the residents and the noise will be a concern. Commissioner Osborne suggested the self-serve and automatic bays operating hours from 5:00 a.m. to 11:00 p.m. and six months from open date there will be a review. Discussion took place regarding the lighting. Commissioner Osborne is okay with the lighting and is not in favor of having any dark areas. It was stated the location of the sign is optimal. Commissioner Walton is concerned about the LED

lighting. Commissioner Walton asked if there will be any type of car show sponsored. Commissioner Osborne does not think that applies here.

**Commissioner Grubb moved to recommend approval to the City Council of the Conditional Use Permit: South Weber Transition Subdivision Lot 1 (Morty's Car Wash) for applicant, Scott Mortensen subject to the following:**

- 1. Barry Burton's review of 22 May 2020 amendment of number of bays.**
- 2. Brandon Jones review of 22 May 2020.**
- 3. Hours of operation of automatic bays and vacuums to be closed from 11:00 p.m. to 5:00 a.m.**
- 4. Six month review of CUP hours of operation from date of opening.**
- 5. Self-serve bays to be open 24/7.**

**Commissioner Johnson seconded the motion. Commissioners Grubb, Osborne, Walton, and Johnson voted aye. Commissioner Boatright voted no. The motion carried 4 to 1.**

#### **PLANNING COMMISSION COMMENTS:**

**Commissioner Boatright:** He thanked the City staff for all they are doing during this COVID pandemic to keep everyone safe.

**Commissioner Walton:** He asked about the general plan update. There was an email on 22 May 2020 from David Larson, City Manager explaining the dates. He suggested reviewing City ordinances that need to be updated. Barry agrees. Commissioner Osborne suggested each Planning Commission member look at ordinances that they want Barry to update and submit them to him for review.

**Commissioner Osborne:** He reported the Uintah/South Weber Boundary Evaluation Committee, consisting of Blair Halverson, Barry Burton, Mayor Sjoblom, and himself met this last week to determine the best alignment for boundaries between Uintah and South Weber. It has been determined that the boundary should cross I-84 at the east end of the northernmost Geneva Gravel Pit, follow along the north side of I-84 (next to the freeway) west until it reaches the east end of the McKay Winkel property, and follow the current river alignment until approximately Adams Ave where it follows a section line westward to the rear lot line of the last house on the north side of the west end of Harper Way. At that point, it would follow the south right-of-way line of I-84 to the Riverdale City boundary.

**City Planner, Barry Burton:** He discussed if the cities agreed on a boundary line then the counties would agree with that. Weber County will have their surveyor put together a description. He discussed the county line going to Adams Avenue Bridge, but there are properties in Heather Cove Subdivision that are in both counties. He will be meeting with the Weber County Surveyor to amend those properties and annex into Davis County.

**ADJOURNED:** Commissioner Johnson moved to adjourn the Planning Commission meeting at 8:46 p.m. Commissioner Grubb seconded the motion. Commissioners Boatright, Grubb, Osborne, Walton, and Johnson voted aye. The motion carried.

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

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

\_\_\_\_\_  
**Attest: Development Coordinator: Kimberli Guill**



# **SOUTH WEBER CITY PLANNING COMMISSION MEETING**

**DATE OF MEETING:** 11 June 2020

**TIME COMMENCED:** 6:01 p.m.

**LOCATION:** Electronic Meeting through Zoom

**PRESENT: COMMISSIONERS:**

Tim Grubb  
Gary Boatright  
Rob Osborne  
Wes Johnson  
Taylor Walton

**CITY PLANNER:**

Barry Burton

**CITY ENGINEER:**

Brandon Jones

**DEVELOPMENT COORDINATOR:**

Kimberli Guill

**Transcriber:** Minutes transcribed by Michelle Clark

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**ATTENDEES:** Blair Halverson, Nate Harbertson, Carter Randall, Marty McFadden

**PLEDGE OF ALLEGIANCE:** Commissioner Grubb

**Public Comment:** Written public comments must be submitted by email to [publiccomment@southwebercity.com](mailto:publiccomment@southwebercity.com). Comments must be received prior to the meeting start time. Subject line should include meeting date, item# (or general comment), first and last name. Comments without first and last name will not be included in the public record.

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**Fran 6901 S. 679 E.** understands development will eventually happen but suggested the Planning Commission look at development that the City does not need; specifically, high density housing. She discussed concerns with school buses being full. South Weber is geographically small and narrow, which creates difficulty with high traffic. She would like to know what type of hotel. The plan appears to be too congested. South Weber does not have a grocery store, gym, animal hospital etc. She asked the Planning Commission Please to listen to the South Weber citizens.

**Doug Miller, 302 E. Old Maple Road**, thinks there are a lot of people who are concerned about high density housing. He discussed the issue of speeding and whatever is constructed will increase the traffic. He suggested installing speed bumps to help individuals to slow down.

Commissioner Osborne pointed out the Planning Commission has received public comments via email prior to this meeting.

**Presentation: Development at approximately 475 E 6650 S (17 acres) by Blue Ox**

**Development:** Marty McFadden, of Blue Ox Development, addressed the Planning Commission. He lives in South Weber City and has a vested interest in the community. Marty reviewed their goal and objective which include bringing commercial services to the I-84/Adams Road interchange. They would like to provide services that best serve the community, provide essential services, and generate stable commercial city tax base. He is concerned about bringing the right mix of commercial services to the I-84/Adams Rd interchange. They have contacted several different types of commercial businesses. It is important that tenants are able to make it at this location.

Marty described the Stephens property and stated it currently has 2 zones (Highway Commercial (C-H) & Agricultural (A). He discussed the C-H Zone not being the right mix. After studying this location, the C-H zoned portion of the parcel is too small. He suggested more of the A zoned portion of the parcel needs to be C-H. He pointed out the new City General Plan suggests converting the whole parcel to C-H.

Marty explained all C-H does not work because there is not enough traffic count to justify that much commercial. By forcing all C-H it would lead to high vacancy and turnover, or vacant, undeveloped land for a long time.

Marty proposed the property be zoned C-H and R-7. This would bring commercial to this location and add a residential component that fits the current residential market needs. He explained the residential component: Zoning code – R-7; 7 units/AC which would allow for maintain common areas, design attractive unit clusters with elements that look and feel like single-family dwellings, work within a density and zoning that is part of South Weber City's code, and allow for a private community feel without a private community infrastructure.

Marty reviewed the layout which includes: (1) Commercial along street fronts and (2) Residential behind commercial

**Examples of the Residential Units:**

- These are photos of Daybreak in South Ogden:  
6 AC with 46 units.  
About 7.8 units/AC.

**Solution Summary:**

- Gas Station & Convenience Store: 2.28 AC
  - Hotel: 3.28 AC
  - Strip Mall: 1.02 AC
  - Rentable Public Storage: 2.42 AC
- Total Commercial Subtotal: 9.00 AC

- Residential R-7 & Green Space: 9.00 AC with 48 units: 5.33 units/AC  
Total Parcel Acreage: 18.00 AC

Marty understands there have been several public comments concerning the Morrisite War Site. They are willing to provide a location to preserve the area for this. They have suggested names of the development being Kingston Fort. They are open to bringing in the elements that the community feels would be a benefit. For example, pickle ball courts for green space, trails, or creating a sense of place. He discussed the possibility of a development agreement.

Commissioner Walton asked what type of hotel chain. Carter Randall stated there has not been a specific hotel. He sees the hotel eventually down the road and will probably be the last parcel developed. He feels the location to Snow Basin and being close to a freeway entrance will be used. Commissioner Walton pointed out the public's concerns with the right type of hotel. Carter imagines more of a Spring Hill Suite versus a truck stop motel. He has read a lot of the comments from the citizens, in which a lot of them contradict themselves, but the initial curve of the road will take a large portion of the traffic. He does not see them adding to a lot of interior traffic within the City.

Nate Harbertson discussed the concept of the hotel. He pointed out the Best Western in lower Uintah is usually full. There are not a lot of options for hotel stays in that area.

**Jessica Presswedge, of Sierra Homes, lives in North Ogden.** She discussed townhomes being the way people are going right now with it being a lot less maintenance, appealing for the older generation who want to downsize. She stated Sierra Homes is a partner in the development.

Commissioner Johnson expressed if there is a hotel, there needs to be a restaurant to support it. Carter agreed but stated they do not have any tenants lined up for the strip mall area right now. He explained there will be four maybe five 2,000 sq. ft. units in the strip mall. Commissioner Walton asked about the financial impact of the development if the storage units are not allowed. Marty stated it is a critical piece to have that there but is willing to have a discussion on that. He expressed there are storage units that are attractive, and that can be addressed. He understands the stigma, but it is a community need. Carter discussed large storage units for recreational storage, as well as those townhomes to the west who need storage. He discussed the possibility of a wall type barrier or concrete treatments to give them an upper class feel. Commissioner Osborne questioned why the storage units are not located closer to the freeway. Commissioner Boatright recommended using the townhomes as more of a buffer. He asked the developer what the first two phases are. Marty discussed starting with the gas station and storage unit but reiterated the need for the residential to make it all work. He explained the residential component is purely there to make the commercial work.

Commissioner Osborne asked if the hotel is dropped, and a Daybreak type environment is created. Marty feels that is possible. Commissioner Osborne discussed the housing being difficult because this property has been identified for commercial, but he feels the community would like to see something more unique such as a bike shop, bakery, etc. Commissioner Johnson discussed the 2008 development plan relating to what Commissioner Osborne is suggesting. He identified businesses such as Patagonia, REI, etc. that people must drive to Salt Lake City. Carter discussed the days of large retailers being over. Marty explained these types of companies will not come to South Weber based on the charm, but they are looking for

locations with high traffic. Commissioner Boatright pointed out there is nothing in this development that is for the residents in South Weber City. He thinks most of them would rather the property stay a field. Marty pointed out listening to residents in his community, it needs to come down to let the data speak. Commissioner Boatright understands the City doesn't own this property, and they want to work with the developer, but there are people who moved to South Weber for a certain reason. He explained the community is going to be here forever.

Commissioner Walton asked if there is a fuel station interested in the property. Carter stated there is a tenant interested in the fuel station and storage units; however, the hotel is unknown. He stated there will be individually owned retail like what is on the east end of the City.

Commissioner Osborne suggested putting together something more like Daybreak with a gas station, drop the hotel, small retail, move location of storage units, maybe small pond, etc. He suggested something cool that nobody else has. Commissioner Walton feels the citizens want a place for them. Marty is willing to put together a different concept. Commissioner Walton is curious about the revenue generated off storage units. He pointed out this is a critical piece of commercial property for the City to create revenue and he questioned what kind of tax revenue will be generated from a hotel, storage units, etc. Barry Burton, City Planner, stated storage units do not generate sales tax and there is no real revenue gain for the City. A hotel creates a transient room tax for the City, and the potential for revenue would be great. Commissioner Walton suggested the hotel being scaled and the right brand. He does not think a hotel should be totally removed.

Commissioner Grubb commented this entire parcel has been designated for commercial for at least 20 years in the general plan. He is hesitant to put in residential and does not see the need for it as well as storage units. He understands the interest in a fuel station and then another business feeding off that business, etc. He suggested phasing businesses that service the residents of South Weber and feed off I-84. He is not completely convinced the City needs more residents and storage units. He hopes citizens will get involved and let the developer know that they would like to see. Commissioner Walton understands the direction from the City Council is to allow developers to present ideas to the Planning Commission. Carter expressed he is not trying to maximize residential because it is the most lucrative, but it is the most realistic.

Commissioner Johnson expressed in the last three years when the Planning Commission and City Council meet, it has been decided this parcel is best for the City to be commercial.

Commissioner Boatright pointed out this location is an historical site and a lot of the residents want to preserve and commemorate that history. He suggested the landowner allow students to perform some archaeology on this site prior to any construction. Commissioner Johnson agreed. Marty commented they are interested in doing something to commemorate the site. He doesn't see this 18 acres of land supporting commercial. Commissioner Grubb feels there needs to be some expansion to allow for a restaurant. He does not think the plan should be all strip mall either. He pointed out this design does not have a unique feel at all. Commissioner Osborne suggested the developer go back and redesign. Carter expressed without the storage units and residential the plan does not work. He stated they will go back and rework and modify the site plan to be something more appealing for the City. Commissioner Grubb asked the Planning Commission what they would like to see as far as residential. Commissioner Boatright likes this look better than an apartment complex. He stated if housing must be a part of this development, he would like to see it on the south end. Commissioner Walton is more concerned about aesthetics and feels the density is appropriate. Commissioner Grubb discussed mixed use being when commercial and residential complimentary of each other. He addressed clustering allowing more open space area for a historical area.

**PLANNING COMMISSION COMMENTS:**

**Commissioner Osborne:** stated the general plan open house is scheduled for June 24<sup>th</sup> & June 25<sup>th</sup> at the FAC. He asked the Planning Commission members how they feel about attending this open house with the COVID-19 Pandemic. He does not want anyone to do something they don't want to do. Commissioner Boatright stated as the numbers rise the more concerned, he is about meeting publicly together. Commissioner Johnson agreed. Commissioner Walton is okay with attending the open house. Commissioner Osborne does not understand the purpose of the open house because there may be the same comments. Commissioner Walton feels it is important for individuals to be heard. Commissioner Grubb will be out of town. Commissioner Walton will be attending.

Commissioner Osborne suggested continuing with the Zoom meetings at least through July. The majority of the Planning Commission agreed. Kim stated as long as Governor Herbert is allowing electronic meetings, we can continue with Zoom.

**Commissioner Johnson:** The Parks & Trails Committee met and discussed disposal of items. He will coordinate with Councilwoman Petty and Kim. He suggested looking at merging certain zones. He would like more clarification on mixed use and specific guidelines. Commissioner Osborne pointed out there are parcels that have been identified for mixed use discussions. Commissioner Walton explained we are hoping for the developer present ideas. Barry suggested the Planning Commission discuss this item at the next Planning Commission meeting and include a list of zones where they see problems and issues that need to be amended. Kim will include this item on the next agenda.

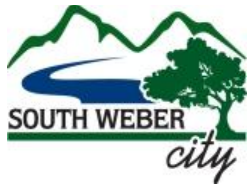
**ADJOURNED:** Commissioner Grubb moved to adjourn the Planning Commission meeting at 8:32 p.m. Commissioner Boatright seconded the motion. Commissioners Boatright, Grubb, Osborne, Walton, and Johnson voted aye. The motion carried.

**APPROVED:** \_\_\_\_\_ **Date**

**Chairperson: Rob Osborne**

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

\_\_\_\_\_  
**Attest: Development Coordinator: Kimberli Guill**



**Planning Commission Meeting Date:** July 9, 2020

**Name:** David Larson

**Agenda Item:** Soccer Facility Conditional Use Permit 16-05 Review

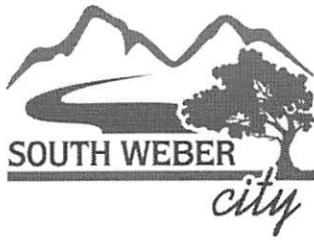
**Background:** Conditional use Permit 16-05 was approved by the Planning Commission on September 8, 2016 and approved by the City Council on September 13, 2016. A review meeting on April 10, 2018 brought additional clarifications and conditions to the permit (see CUP 16-05) which was approved by the Planning Commission on May 10, 2018. An official form was then created that documented the conditions.

Neighboring residents of the facility have expressed concerns regarding the facility operations, including but not limited to noise from use of the outdoor fields and trespassing to retrieve soccer balls that go over the fence. State law and the opinion of the property rights ombudsman's office provides for a review of the conditions on a CUP to mitigate legitimate nuisance complaint issues as brought forward by neighbors.

The Planning Commission can review the current conditions on the CUP and recommend any amendments if they feel amended conditions better address the legitimate nuisance issues. A recommendation of the Planning Commission will move to the City Council for final review and decision.

**Summary:** Planning Commission may review the CUP 16-05 and recommend any amendments if necessary, to the City Council

**Attachments:** CUP 16-05  
City Council Meeting Minutes from September 13, 2016



## Conditional Use Permit #16-05

Applicant: Kelly Parke

Proposed Use: Recreational and sporting activities  
(over 1.0 acre)

Address: 128 E South Weber Drive

The conditional use for the above applicant at the property listed and the use proposed was approved by the Planning Commission on 09-08-2016. The following indicates the conditions required at the time of approval, and the current status of each.

Completed	Not Completed	N/A	
	X		1. Meet the requirements of Buffer Yard C (City Code 10.5M.6B).
X			2. Meet conditions from City Engineer's review dated 31 August 2016.
X			a. Comply with UDOT stipulations, Geotechnical recommendations and South Weber Irrigation Co. instructions.
		X	b. Easement for sewer lateral.
X			c. Improvement plans need to show sewer lateral from building to proposed site.
X			3. Meet conditions from City Planner's review dated 1 September 2016.
X			a. Buffer yard plan submitted and approved
X			4. City Council must approve buffer yard amendment before approval is granted. (Passed 09-13-16).

Following a review meeting on April 10, 2018 the following clarifications and conditions are also proposed:

1. Installation of a 6' vinyl fence from the northeast property corner to the north end of the fire access road.
2. Comply with all UDOT access permit requirements.
3. Due to safety concerns as a result of poor pedestrian access, no parking will be allowed on South Weber Drive or adjacent residential streets. If parking is or becomes insufficient to handle the demand, the applicant will be required to provide additional on-site parking to meet the demand, along with any associated drainage changes; must meet City Standards and be approved by the City Engineer.
4. No lighting will be permitted for the outdoor fields.
5. Must comply with any land use easements on the property.



6. Must comply with all City Code, including, but not limited to, noise restrictions and signage.

Approved by the Planning Commission on May 10, 2018. Any requests for change must be made in writing and approved by the Planning Commission in a public meeting.

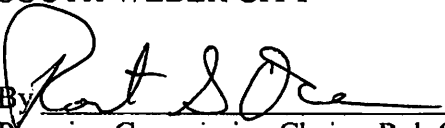
**APPLICANT**

Elite Training Centers

By   
Kelly Parke

Title Manager

**SOUTH WEBER CITY**

By  10 May 2018  
Planning Commission Chair – Rob Osborne

**ATTEST**

By   
South Weber City Deputy Recorder – Lisa Smith

# **SOUTH WEBER CITY CITY COUNCIL MEETING**

**DATE OF MEETING:** 13 September 2016

**TIME COMMENCED:** 6:00 p.m.

**PRESENT: MAYOR:**

**Tammy Long**

**COUNCILMEMBERS:**

**Scott Casas  
Kent Hyer  
Marlene Poore (excused)  
Merv Taylor  
Jo Sjoblom**

**CITY RECORDER:**

**Elyse Greiner**

**CITY MANAGER:**

**Tom Smith**

**CITY ATTORNEY:**

**Doug Ahlstrom**

**Transcriber: Minutes transcribed by Michelle Clark**

**VISITORS:** Thom Wight, Quinn Tucker, Wayne Winsor, John McCall, Brent Poll, Farrell Poll, Raelene Miller, Roger Miller, Tim Grubb, Kelly Parke, Delene Hyde, Judy Barton, Grandon Brimley, DeAnn Hoggan, David Hoggan, Cheryl Bambrough, Brian Poll, Brent Petersen, Charles Poll, Trevor Schenck, Elizabeth Rice, and Chris Tremea.

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

**PLEDGE OF ALLEGIANCE:** Council Member Hyer

**PRAYER:** Council Member Casas

**AGENDA:** Council Member Hyer moved to approve the agenda as written. Council Member Sjoblom seconded the motion. Elyse called for the vote. Council Members Casas, Hyer, Taylor and Sjoblom voted yes. The motion carried.

**CONFLICT OF INTEREST:** None

**CONSENT AGENDA:**

- **Approval of August 23, 2016 Meeting Minutes**
- **Approval of August 23, 2016 Work Meeting Minutes**
- **Approval of July 2016 Budget to Actual**
- **Approval of August 2016 Check Register**

Council Member Sjoblom moved to approve the consent agenda. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.

#### **ACTION ITEMS:**

Council Member Sjoblom moved to open the public hearing for Ordinance 16-17. Council Member Hyer seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.

#### **\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Public Hearing on ORDINANCE 16-17: Rezone request for property located at approx. 128 E. South Weber Dr. (Parcel 13-005-0033), approx. 24.08 acres, be rezoned from an Agricultural Zone (A) to Commercial Recreation Zone (C-R), by applicant Kelly Parke:**

Tom said the Planning Commission has given a recommendation for approval of this rezone. While the General Plan doesn't specifically project the Commercial Recreation zone to be there, it does call for open lands. Since HAFB has a no-build zone on the southern portion of the property for permanent residences due to the high noise level, a soccer field would be a great use for the property.

Mayor Long asked if there was any public comment. She reminded individuals, who wish to speak, to approach the pulpit, state their name and address, and they have three minutes to speak. Council Member Hyer said he will be timing individuals for three minutes.

**Brent Poll, 7605 S. 1375 E.,** said he is in attendance to discuss pollution. He said every time the City Council approves development in west end, the City is putting people at risk. He hopes the Council read about cross polluted transfer. He said this is a super fund site. He said this has been going on since Mayor Bouchard. He has been studying this for 24 years with an advisor and we know that Hill Air Force Base is not going to clean up the pollution.

**Delene Hyde, 349 E. 6650 S.,** said this developer is putting out a big investment. She said this is 25 acres that has the potential for more soccer fields. She said this property has a potential of 13 fields with this acreage. She discussed how many vehicles will be generated by soccer fields. She is concerned about increasing traffic on 6650 South, which is not a collector road. She said there have been other developments that have been denied because of access. She feels this development needs to find another out from this property and suggested the developer wait until the Kendell property is developed. She feels it is appalling that individuals have only three minutes to speak.

**Trevor Schenck, 6455 Raymond Drive,** would like to donate to his three minutes to Delene Hyde. He was told he could not do that.

Council Member Taylor moved to close the public hearing for Ordinance 16-17. Council Member Casas seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.



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

Council Member Casas moved to approve Ordinance 16-17: Rezone request for property located at approx. 128 E. South Weber Dr. (Parcel 13-005-0033), approx. 24.08 acres, be rezoned from an Agricultural Zone (A) to Commercial Recreation Zone (C-R), by applicant Kelly Parke. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.

**RESOLUTION 16-31 Smith & Edwards Final Subdivision:** Tom said this is a final plat for Smith & Edwards soccer development. All the requirements have been met by the applicant. The Planning Commission has recommended approval to the City Council.

Barry Burton, City Planner, said the access is coming off of South Weber Drive. Council Member Sjoblom asked about deterring traffic. Barry said the City has looked at alternatives in the past and suggested making 6650 South a one-way street or dead end street. He said it would make it a little less convenient for residents on 6650 South. Mayor Long asked if no parking can be posted on 6650 South. Barry said, "yes". He said this property is located in the noise zone and has an easement that does have some restrictions. Barry said there is sufficient parking with 78 stalls as well as overflow parking. He said the developer has said the soccer fields are not for recreational soccer.

Council Member Casas moved to approve RESOLUTION 16-31 Smith & Edwards Final Subdivision. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.

Council Member Taylor moved to open the public hearing for Ordinance 16-20. Council Member Hyer seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.

\*\*\*\*\* PUBLIC HEARING \*\*\*\*\*

**Public Hearing on ORDINANCE 16-20: Amendment to Code Section 10.05M.6 (B) Buffer Yard Landscaping:** Tom said the Planning Commission has made a favorable recommendation to the Council to approve of this ordinance amendment. Previously the Commercial Recreation Zone required a buffer yard (certain distance and amount of foliage; can be found in Code 10.15.070) between surrounding agricultural and residential zones. The Planning Commission felt that the developers putting in the soccer field would be met with undue hardship having to put a certain amount of vegetation around the 24 acres of property. They concluded that it also doesn't make sense to buffer agricultural property from recreation property. To lessen the burden for all developers, the buffer yard would only be required on sides adjacent to buildable residential zones.

It is recommended that Subsection 10.05M.6B of the South Weber City Code pertaining to buffer yard landscaping be amended as follows:

**10.05M.6B Buffer Yard Landscaping**

B. Buffer Yard Landscaping: Buffer Yard D landscaping shall be required between the CR zone and all residential zones, except where there are legal restrictions on the residential zoned property that prevent the construction of residences.

Tom said after discussing the amendment in the work session. The City Council is recommending amending it to Buffer Yard B. He explained that there is a section of approximately 50 ft. that would need to be buffered from the C-R Zone from the residential zone. Tom said the buffer yard does define the types of trees.

Mayor Long asked if there was any public comment.

**Trevor Schenck, 6455 Raymond Drive**, asked which buffer is the requirement.

Barry Burton said in each of the buffer yard classifications there are several options that can be chosen. He said the number of trees, shrubs, etc. varies with specific buffer yard. Tom said the buffer yard requirement is only required in a 50 ft. area of space where this would be required. Barry said it only applies to those properties that back up to residential property. He explained the need for the amendment is because the Planning Commission didn't see a need to buffer agricultural property. Doug Ahlstrom said from going from D to C reduces the number of evergreens, but B doesn't require the evergreens. Council Member Hyer said this will affect Trevor Schenck's property and he would recommend the developer meet with you to discuss options of trees. Barry said this is not just for a soccer complex but any other use in a C-R Zone throughout the City.

Mr. Schenck said previously the buffer was 30 ft. (with buffer yard D) and with buffer yard B it will go to a minimum of 10 ft.

**Tim Grubb, 6926 S. 475 E.**, said if this is a recreation zone it will attract parks and openness. He said in this case, you would want the bigger set back.

**Thom Wight, 1925 N. Rolling Oaks Layton, Utah**, said he is willing to collaborate with Mr. Schenck, within reason, concerning the buffer yard. He said they have not designed anything yet.

**Kelly Parke, 3393 W. 1700 N. Ogden, Utah**, said they will try to be a good neighbor. He said the 50 ft. is in the area where there will be an open soccer field. He said the intent is two outdoor fields and one indoor facility.

**Council Member Taylor moved to close the public hearing for Ordinance 16-20. Council Member Hyer seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

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



Council Member Sjoblom is concerned about buffer yard B having a 10 ft minimum. She feels the code needs to be amended. Tom agrees the landscaping code needs to be visited. Doug Ahlstrom suggested changing the buffer yard from the proposed B to C.

**Council Member Casas moved to approve Ordinance 16-20: Amendment to Code Section 10.05M.6 (B) Buffer Yard Landscaping: B. Buffer Yard Landscaping: Buffer Yard C landscaping shall be required between the CR zone and all residential zones, except where there are legal restrictions on the residential zoned property that prevent the construction of residences. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**Council Member Sjoblom moved to open the public hearing for Conditional Use Permit: application for South Weber Soccer Facility located at approx. 128 E. South Weber Dr. (Parcel 13-005-0033), approx. 12.21 acres, by developer Kelly Parke. Council Member Hyer seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**\* \* \* \* \* PUBLIC HEARING \* \* \* \* \***

**Public Hearing on Conditional Use Permit: application for South Weber Soccer Facility located at approx. 128 E. South Weber Dr. (Parcel 13-005-0033), approx. 12.21 acres, by developer Kelly Parke:** The Conditional Use Permit is for a private-use indoor soccer facility and two outdoor soccer fields. The Planning Commission recommended approval subject to the items addressed in the City's Engineer's memo (dated 8/31/16) in addition that it meet the buffer yard ordinance (prior agenda item).

**Brandon Jones memo of 31 August 2016 is as follows:**

Our office has completed a review of the Plat and Improvement Plans for the Smith & Edwards Subdivision and associated South Weber Soccer Facility received on August 19th and 30th, 2016. We recommend approval, subject to the following comments and recommendations being addressed prior to final approval from the City Council.

1. **General.** The developer will need to comply with the UDOT Access Approval stipulations, the recommendations of the Geotechnical Report by GSH and the requirements of the South Weber Irrigation Company as previously discussed and recommended.

2. **Sewer Easement.** This set of plans does not show any sewer lateral from the building. We are assuming that the sewer lateral is still being proposed to be installed across the "T+R Ranches" property to the east. A separate easement document will be needed to allow the crossing of this property. However, this being a sewer lateral, it will be owned by the owner of the Soccer Facility. Therefore, the easement should be conveyed from "T+R Ranches" to the owner of the Soccer Facility, not the City. This easement will be needed prior to constructing the lateral or recording the plat, whichever one comes first. **This item has been addressed.**

3. **Plat.** No comments.

4. **Improvement Plans.** The following are items related to the improvements. a. Sheet #C3. The plans need to show the sewer lateral from the building to wherever it is being proposed (assumed to be in Raymond Drive).

Tom said all the requirements have been met.

Mayor Long asked if there was any public comment.

**Delene Hyde, 349 E. 6650 S.,** feels a development agreement needs to be put in place limiting the access to this facility. She said a lot of the indoor fields play until 1:00 a.m. She would like to see a time limit. She said you have no idea what is going to happen today.

**Trevor Schenck, 6455 Raymond Drive,** said he is confused concerning what the setback requirement is.

**Tim Grubb, 6926 S. 475 E.,** said with buffer yard C states they can be as close to 20' to the residential property.

Barry said the building is approximately 300' from the Schenck's property line and 50' from the soccer field. It was stated the amendment is as follows:

#### **10.05M.6B Buffer Yard Landscaping**

B. Buffer Yard Landscaping: Buffer Yard (C) landscaping shall be required between the CR zone and all residential zones, except where there are legal restrictions on the residential zoned property that prevent the construction of residences.

Mr. Schenk requested this requirement be put in the motion. Tom said when the City Council makes their motion they need to include what is being discussed.

**Council Member Sjoblom moved to close the public hearing for Conditional Use Permit: application for South Weber Soccer Facility located at approx. 128 E. South Weber Dr. (Parcel 13-005-0033), approx. 12.21 acres, by developer Kelly Parke. Council Member Casas seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

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

Council Member Taylor apologized for being abrupt but they want to keep control of this meeting. He said the Council is sensitive to residents along 6650 South.

**Council Member Hyer moved to approve the Conditional Use Permit: application for South Weber Soccer Facility located at approx. 128 E. South Weber Dr. (Parcel 13-005-0033), approx. 12.21 acres, by developer Kelly Parke subject to the following conditions:**

- 1. Developer required to follow recommendation on geo technical report.**
- 2. Amendment to use buffer yard C.**
- 3. Approval by adjacent landowner Trevor Schenk as to types of foliage (subject to Code).**



4. Intended use statement to be submitted by the developer and intention for the total acreage of property.
5. Include hours of operation from 6:00 a.m. to 10:00 p.m. Monday thru Saturday.

Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.

Council Member Hyer moved to open the public hearing for Ordinance 16-18. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Public Hearing on ORDINANCE 16-18: Rezone request for property located at approx. 7482 S. Cornia Dr. (Parcel 13-174-0001), approx. 1.313 acres, be rezoned from an Agricultural Zone (A) to Highway-Commercial Zone (C-H), by applicant John McCall:** Tom said the Planning Commission has given a favorable recommendation for approval of this rezone because it is in accordance with the General Plan.

Mayor Long asked if there was any public comment.

**John McCall, 2735 W. 4375 S. Roy, Utah,** said he is the co-owner of the property. He said this request will help to market the property as commercial.

Council Member Sjoblom moved to close the public hearing for Ordinance 16-18. Council Member Casas seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.

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

Council Member Hyer moved to approve Ordinance 16-18: Rezone request for property located at approx. 7482 S. Cornia Dr. (Parcel 13-174-0001), approx. 1.313 acres, be rezoned from an Agricultural Zone (A) to Highway-Commercial Zone (C-H), by applicant John McCall. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.

Council Member Taylor moved to open the public hearing for Ordinance 16-19. Council Member Casas seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Public Hearing on ORDINANCE 16-19: Rezone request for property located at approx. 600 E. South Weber Dr. (Parcel 13-020-0056), approximately .85 acres, be rezoned from the Residential Low Zone (RL) to Residential Moderate Zone (RM), by applicant Grandon Brimley:** Tom explained that this proposal is to rezone .85 acres of land in the R-LM zone to the R-M zone. The property contains an existing residence and a detached garage. Mr. Brimley

would like to split the lot into two parcels, but existing zoning doesn't allow it. The property sits adjacent to two other subdivisions, the Bowman Old Farm Subdivision to the north and the Canyon Meadows Subdivision to the east. The lots in Canyon Meadows and Bowman Old Farm are approximately the same size as would these be, if subdivided.

This request does not conform to the recommendations of the General Plan, which calls for low moderate density residential in this location. The applicant has pointed out that the lot is not large enough to pasture farm animals and would not be out of character with adjacent lots.

Tom said the Planning Commission and City staff recommended approval of the rezone because the property is unique and the rezone would meet the surrounding land use though it doesn't conform to the general plan projected land use map.

Mayor Long asked if there was any public comment.

**Grandon Brimley, 600 E. South Weber Drive**, said this property is not large enough for farm animals. He feels this lot can be a much better use of the land. He said there are two accesses onto South Weber Drive.

**Tim Grubb, 6926 S. 475 E.**, said he lives in the area. He said what he is proposing fits the area. He said the road and sidewalk are already in. He said the curb is already cut for the existing home and the east property.

**Council Member Hyer moved to close the public hearing for Ordinance 16-19. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

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

**Council Member Hyer moved to approve Ordinance 16-19: Rezone request for property located at approx. 600 E. South Weber Dr. (Parcel 13-020-0056), approximately .85 acres, be rezoned from the Residential Low Zone (RL) to Residential Moderate Zone (RM), by applicant Grandon Brimley. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**Council Member Sjoblom moved to open the public hearing for Ordinance 16-21. Council Member Hyer seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Public Hearing on ORDINANCE 16-21: Amendment to Code Sections 10.5A.2, 10.5B.2, 10.5C.3, 10.5D.2, 10.5E.2, 10.5F.2, 10.5G.4, 10.5H.4, 10.5I.4, 10.5K.4, 10.5L.4, 10.5M.4, 10.5N.4, 10.5O.4, and 10.5P.2 Permitted Uses, to allow for mobile businesses:** Tom said in the last meeting, the Council approved an ordinance to regulate mobile businesses. This current



ordinance amendment allows mobile businesses to do business in the City as a permitted use so they can actually start doing business.

Mayor Long asked if there was any public comment. There was none.

**Council Member Sjoblom moved to close the public hearing for Ordinance 16-21. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

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

**Council Member Casas moved to approve Ordinance 16-21: Amendment to Code Sections 10.5A.2, 10.5B.2, 10.5C.3, 10.5D.2, 10.5E.2, 10.5F.2, 10.5G.4, 10.5H.4, 10.5I.4, 10.5K.4, 10.5L.4, 10.5M.4, 10.5N.4, 10.5O.4, and 10.5P.2 Permitted Uses, to allow for mobile businesses. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**Council Member Hyer moved to open the public hearing for Ordinance 16-22. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**\*\*\*\*\* PUBLIC HEARING \*\*\*\*\***

**Public Hearing on ORDINANCE 16-22: Amendment to Code Sections 10.01.100 Definitions and 10.05C.4 Conditional Uses, to allow for assisted living facilities**

Tom said at the last Council meeting, Tim Grubb approached the Council with an idea to develop a piece of property off of 475 E. to an assisted living facility. Currently, City Code doesn't have provisions to allow them. These ordinance changes would allow for that type of business in the R-H. The Planning Commission recommended approval of this ordinance.

It is recommended that Subsections 10.01.100 Definitions and 10.05C.4 Conditional Uses of the South Weber City Code pertaining to assisted living facilities be amended as follows:

**10.01.100 Definitions ASSISTED LIVING FACILITY:**

An assisted living facility is a housing facility for people with disabilities or for adults who cannot or chose not to live independently, but rather live in a group living environment under the care of state licensed professionals. An assisted living facility does not house individuals under care for drug or alcohol rehabilitation, nor can one serve as transitional housing for individuals reentering society from the penal system.

**0.5C.4 Conditional Uses**

14. Assisted living facilities

Mayor Long asked if there was any public comment.

**Tim Grubb, 6926 S. 475 E.,** said he appreciates the work Barry Burton has done is creating this for the City. He said this will be subject to a conditional use and will be controlling factors.

**Council Member Sjoblom moved to close the public hearing for Ordinance 16-22. Council Member Hyer seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

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

**Council Member Hyer moved to approve Ordinance 16-22: Amendment to Code Sections 10.01.100 Definitions and 10.05C.4 Conditional Uses, to allow for assisted living facilities. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**RESOLUTION 16-30 Amendment to Fee Schedule (mobile businesses):**

Tom said the amendment to the fee schedule will be to add a mobile business license fee and permit fees.

**Council Member Sjoblom moved to approve Resolution 16-30 Amendment to Fee Schedule (mobile businesses). Council Member Hyer seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**RESOLUTION 16-32 Selection of Professional Financial Auditor Services:**

Mark McRae said at the Councils request, they went through the process of selecting a financial auditor for the City. He reported that they had 9 CPA firms respond to the RFP. The firm that they are recommending to the Council as the new auditor is Keddington & Christensen.

Council Member Casas commended the financial department for their effort in this. Council Member Hyer is in agreement with the selection of this company.

**Council Member Sjoblom moved to approve Resolution 16-32 Selection of Professional Financial Auditor Services. Council Member Casas seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**DISCUSSION ITEMS (possible action):**

**Review of Snow Removal Policy:** Mayor Long said in the work session it was suggested to table this item until next week.

**Council Member Taylor moved to table this item until next week. Council Member Hyer seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**Review of Maintenance II job description including Building Inspector:**



Council Member Hyer moved to have a discussion on this item. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Hyer and Sjoblom voted yes. Council Member Taylor, Casas and Mayor Long voted no. The motion was denied.

Council Member Hyer moved to table this item until next week. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Hyer, Casas, Taylor, and Sjoblom voted yes. The motion carried.

#### **CITY COUNCIL ITEMS:**

**Council Member Casas:**

**Drinking Fountain at Canyon Meadows Park:** The drinking fountain needs to be repaired.

**Central Park:** There is an exposed electrical box by the scoreboard.

**Salt Facility:** He requested the Council discuss this item at the next work meeting.

**Council Member Hyer:**

**Davis/Weber Canal Company:** He reported that the Davis/Weber Canal Company has been removing some trees along the canal. He said concerned residents have contacted him. He would like the City to contact the canal company to find out what is going on.

Chris Tremea, City Code Enforcer, said he did receive complaints and he will be meeting with the canal company. He has visited the location and said they are not large trees. He will pass any information he receives along to Tom. Tom said he is aware of this and was told they are conducting maintenance. He said the City was not aware of this until a resident contacted the City. Mayor Long asked if the boundary line is in unincorporated area.

**Council Member Sjoblom:**

**Status of Digital Sign:** Scout Master over Digital Sign for Scouts has moved to St. George. They will be moving forward with the project.

#### **PUBLIC COMMENTS:**

**Deann Hoggan, 7701 S. 1650 E.,** thanked Council Member Hyer and City employees. She said residents did not receive any warning from Davis/Weber Canal Company that trees will be cut down. She said their property lines extend upon the fence lines. She said the canal company did conduct a survey. She said they have received conflicting reasons for the trees being cut down. She has contacted Jeff Oiler and he will contact the canal company. She said it would be nice to have communication, which would help to alleviate concerns.

**Delene Hyde, 349 E. 6650 S.,** said she recognizes some of the Council who campaigned in her neighborhood. She is concerned about limiting citizens to three minutes for public comment. She said sometimes we don't get to say everything that is on our minds.

**Dave Hogan, 7701 S 1650 E.,** said he owns one of the three homes that were damaged in the mudslide. He said when they built their home they were required to install an engineered retaining wall. He said they want to make sure the canal company has the same rules and regulations that they abide by. He suggested marking the trees that they feel need to be taken out.

**Tim Grubb, 6926 S. 475 E.,** said the three minute public comment is not an ordinance, but policy. He understands in the situation if there are several people present. Also, concerning the soccer field, he feels there wasn't enough time for the City Council to look at it. He said there are a number of things that are kind of scary. He said an issue with 6650 South has been created with approval of this soccer complex. He would request the City staff look at options for 6650 South. He said Old Maple Farms will be going in, which could create options to dead end 6650 South.

**Liz Rice, 7875 S. 2310 E.,** asked about the building inspector maintenance job. She said her husband is a contractor in the City and, as a citizen feels, a building inspector is important.

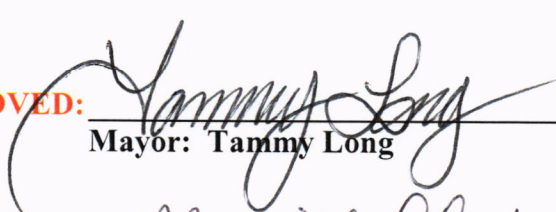
**Council Member Hyer moved to take a five minute break before going into the closed session. Council Member Taylor seconded. Council Members Casas, Hyer, Sjoblom, and Taylor voted yes. The motion carried.**

**Council Member Hyer at 7:58 p.m. moved to go into a closed session as per UCA § Section 52-4-205(1)(c): Discussion of pending or reasonably imminent litigation. Council Member Taylor seconded the motion. Elyse called for the vote. Council Members Casas, Hyer, Sjoblom, and Taylor voted yes. The motion carried.**

The public meeting resumed at 9:32 p.m.

**ADJOURNED: Council Member Taylor moved to adjourn the meeting at 9:33 p.m. Council Member Sjoblom seconded the motion. Council Members Taylor, Sjoblom, and Casas voted yes. The motion carried.**

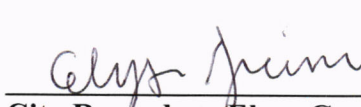
**APPROVED:**

  
Mayor: Tammy Long

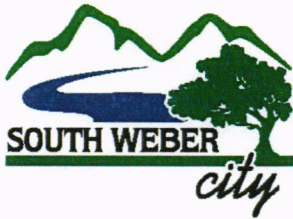
Date Oct. 11, 2016

  
Transcriber: Michelle Clark

Attest:

  
City Recorder: Elyse Greiner





1600 E. South Weber Drive  
South Weber, UT 84405

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801-479-3177  
FAX 801-479-0066

### Affidavit of Closed Session

STATE OF UTAH            )  
                                      : ss.  
COUNTY OF DAVIS    )

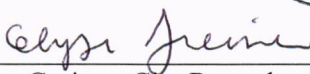
Mayor Tamara Long, upon oath, deposes and says:

1. S/He is the Mayor of South Weber City, a municipal corporation of the State of Utah.
2. As Mayor, Affiant, when available, presides at all meetings of the governing body of said City.
3. On 9/13/16 commencing at 8:00 pm, Affiant presided over a closed meeting of said City's governing body. The closed meeting was held pursuant to the provisions of UCA § Section 52-4-205(1) for the sole purpose of:
  - € (a) discussion of the character, professional competence, or physical or mental health of an individual;
  - € (b) to discuss collective bargaining;
  - € (c) to discuss pending or reasonably imminent litigation;
  - € (d) to discuss the purchase, exchange or lease of real property, including any form of a water right or water shares;
  - € (e) to discuss the sale of real property, including any form of a water right or water shares;
  - € (f) discussion regarding deployment of security personnel, devices, or systems;
  - € (g) investigative proceedings regarding allegations of criminal misconduct
4. The closed meeting was held as scheduled and the only subject matter discussed in the meeting was, in fact, the aforementioned items.
5. Affiant states that any record of the meeting above referred to is protected under Title 63, Chapter 2, of the Government Records Access and Management Act and therefore is not subject to access by the public or media.
6. Further Affiant sayeth not.

DATED this 13 day of September, 2016

  
\_\_\_\_\_  
Signature of Mayor, Affiant

SUBSCRIBED, sworn to and acknowledged before me this 13 day of September, 2016.

  
\_\_\_\_\_  
Elyse Greiner, City Recorder



JENSEN SALON  
SIMILAR & COMPATIBLE USE DETERMINATION REVIEW

By Barry Burton 6.30.20

**PL1 - Project:** The applicants would like to construct a hair and beauty salon in the C-H zone west of Little Caesar's and the approved Alpha Coffee in the South Weber Commercial Subdivision. The salon would accommodate 10 stylists in separately leased spaces within the building.

**PL2 - Ordinance Considerations:** The C-H zone does not list hair and beauty salons as a permitted or a conditional use. There is a provision in the zone that allows the Planning Commission to determine if a proposed use is "similar and compatible" to other listed permitted uses and allow that use. This was done to allow two other nearby land uses; the insurance office and the physical therapy office. The applicants would like to know if their proposed use will be allowed prior to design and engineering.

**PL3 - Recommendation:** This proposal would be beneficial to residents of the city and would not negatively impact adjacent properties. I recommend a determination that this proposed use is similar and compatible to listed permitted uses.

**PL4 – Process Forward:** If the use is allowed, the project will proceed through review by the Sketch Plan Committee, then be brought back for final staff review and then will be presented to the Planning Commission for architectural site plan approval. The project would be under an acre in area, therefore not a conditional use and not subject to City Council approval.

**MOUNTAINSIDE PLAZA  
BUFFER YARD VARIANCE REQUEST REVIEW**

By Barry Burton 6.30.20

**PL1 - Project:** Mountainside Plaza is a proposal to establish a gymnastics gym and retail commercial space in a one building on a C-H zoned parcel on 2725 East (frontage road east of Hwy. 89) at approximately 7900 south. A very similar proposal was made about 10 years ago on the same property by the same person, Mr. Fred Gunderson. That project received conditional use approval but was never built.

**PL2 - Ordinance Considerations:** At the time of the previous approval, a buffer yard was required between the building and the residential zone/neighborhood to the east. One of the options the ordinance then allowed was a 10' buffer yard with a significant number of shrubs and trees. This was the approved buffer yard. Since then the buffer yard requirements have been amended requiring a minimum of 20' width with far fewer plantings.

**PL3 - Variance Requested:** Due to terrain and site constraints, the difference between a 10' and a 20' buffer yard could create major site plan changes. Because of this, Mr. Gunderson is seeking a deviation from the buffer yard requirements prior to completing design and engineering. The current proposal is to establish a 10' buffer yard on the east side of the property. They would still be installing the required number and type of trees and the 6' masonry wall.

There also is a residence on the north side of the property that sits well below the level of this project site. There is a thick stand of native oak trees on the north side of the site that, along with the elevation difference, provides an effective natural screen and barrier between the two properties. The applicant would like to leave that natural screen in place and not put in the required 6' wall or trees.

**PL4 - Recommendation:** The purpose of the buffer yard requirements is to protect adjacent residential properties from the impacts of commercial development. Applicants have stated they have contacted adjacent residents to the east and claim they have no objection to the 10' setback on that side. If they can provide evidence, either written or by personal appearance, that all adjacent neighbors to the east do not object to the proposed deviations, I would recommend approval of that deviation. If such evidence is not provided, I would recommend denial.

I recommend approval of the request to leave existing vegetation on the north side in place of the required buffer yard. It is an effective existing buffer.

**PL5 – Process Forward:** Once the buffer yard questions are answered, the applicant will proceed with design and engineering and the entire project will be brought before the Planning Commission for preliminary conditional use/architectural site plan approval. If preliminary approval is granted, it will be back before the PC and then the City Council for final approval.