

Minutes of the Regular Meeting of the Western Weber Planning Commission for February 11, 2025, Weber County Commission Chambers, 2380 Washington Boulevard 1st Floor, the time of the meeting, commencing at 5:00 p.m.

Western Weber Planning Commissioners Present: Andrew Favero (Chair), Casey Neville (Vice Chair), Wayne Andreotti, Cami Jo Clontz, Jed McCormick, Bren Edwards, Sara Wichern

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Felix Lleverino, Planner; Liam Keogh, Legal Counsel; Tiffany Snider, Office Specialist.

Roll Call: Chair Favero conducted roll call and indicated all Commissioners were present.

1. Minutes: November 12, December 3, and December 10, 2024.

Chair Favero indicated corrections to the minutes were discussed during the pre-meeting; he called for a motion regarding the minutes.

Commissioner McCormick moved to approve the November 12, December 3, and December 10, 2024 minutes as amended. Vice Chair Neville seconded the motion, all voted in favor.

2. Administrative Items:

2.1 LVK110824: Consideration and action on a request for preliminary approval of Kanesville Crossing Subdivision consisting of 78 residential lots, 2 commercial lots, 2 Special Use Area Lots, and 2 common area parcels, within C-1 and R-3 zones, located at approximately 3300 South 3500 W, Ogden. This project is subject to a recorded zoning development agreement dated March 14, 2024. Staff Presenter: Tammy Aydelotte.

Planner Aydelotte explained Kanesville Crossing Subdivision consisting of 77 residential lots (townhomes), 2 commercial lots, 2 Special Use Area Lots, and 2 common area parcels, within C-1 and R-3 zones, located at approximately 3300 South 3500 West, Ogden.

Ms. Aydelotte then used the aid of a PowerPoint presentation to summarize staff's analysis of the application to determine conformance with the General Plan, zoning regulations, street regulations, culinary water and sanitary sewage disposal, review agency recommendations, and additional design standards. She also clarified that there will be parking regulations imposed on the development, but those parking regulations will not be determined until specific uses are proposed – both residential and commercial in nature. She concluded staff recommends preliminary approval of Kanesville Crossing Subdivision consisting of 77 residential lots, 2 commercial lots, 2 special-use area lots, a storm water detention pond, and common area throughout this proposed subdivision. This recommendation is based on all review agency requirements, including those outlined in this staff report, and the following conditions:

1. Payment of the \$2,500 per lot will be made to the Western Weber Parks District before the subdivision plat records, and an additional payment of \$2,500 shall be made with each building permit, per the recorded development agreement.
2. The proposed Special Use Area lots meet minimum requirements for distances of parking lots from lot lines/roadways, per Weber County Ordinance.
3. Additional landscaping/buffering may be required along 3500 West Street and 3300 South Street until the C-1 portion of this zone is developed.
4. An unconditional final approval letter from the culinary and secondary water provider will be submitted before the Planning Commission considers offering a recommendation for final approval.
5. All improvements shall be approved by County review agencies prior to receiving final approval.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the West Central Weber General Plan.
2. The proposed subdivision complies with applicable county ordinances.

Discussion among the Commission and staff centered on fencing requirements for the perimeter of the property; Commissioner Edwards asked if there will be a six-foot, no climb fence around the perimeter of the exterior boundary of the property. Ms. Aydelotte stated a no-climb fence is required near canals, but not necessarily around the perimeter of the property.

Commissioner McCormick inquired as to what stage the applicant will specify the commercial uses for the site. Ms. Aydelotte stated that when the plat is recorded, the lots will be labeled individually, and the applicant will need to submit a design or site plan review at that time. If any intended use will disturb more than an acre or if a structure occupies more than 10,000 square feet, Planning Commission approval will be required to evaluate any detrimental effects, traffic circulation, and other appropriate regulations.

Chair Favero reminded the Commission that there is a time limit for the development agreement; the applicant has approximately 25 months left to complete the development to be compliant with the agreement.

There was brief discussion among the Commission about whether to include additional conditions of approval to address required setbacks and staff noted those items are already addressed in the development agreement.

Commissioner Edwards moved to approve application LVK110824, preliminary approval of Kanesville Crossing Subdivision consisting of 78 residential lots, 2 commercial lots, 2 Special Use Area Lots, and 2 common area parcels, within C-1 and R-3 zones, located at approximately 3300 South 3500 W, Ogden, based on the findings and subject to the conditions listed in the staff report, with the following change to conditions of approval #4 and including a condition of approval #6:

4. An unconditional final approval letter from the culinary and secondary water provider will be submitted before ~~the Planning Commission considers offering a recommendation for final approval.~~
6. A special use area lot to be combined with proposed commercial lots to allow for more flexibility of the commercial area in the C-1 zone.

This project is subject to a recorded zoning development agreement dated March 14, 2024. Commissioner Andreotti seconded the motion. Commissioners Edwards, Favero, Andreotti, Clontz, McCormick, Neville, and Wichern voted aye. (Motion carried on a vote of 7-0).

3. Public Comment for Items not on the Agenda:

Dylan Manning, 1085 N. 4700 W., addressed the work session item titled the Gibson Farms Rezone; the perviously approved density of the property was three lots per acre and that will change to six lots per acre. He has circulated a petition in the community and has gathered 150 signatures through December. The signors of the petition would like the County to 'go back to the drawing board' and preserve the third-acre lot standard, or even one-acre lots. The public is opposed to increased density, would like more open space besides the Emerald Necklace area along the Weber River. The desired setback for the River is 300 feet or more, but there are some areas where the setback is just 100 feet. He will provide the Commission with copies of the petition and asked them to consider the community wants them to design something where they would want to live or want their kids to live. They are opposed to a community that does not represent the farming history of the community. He can gather more signatures if needed.

Travis Covington, 4802 W. 2625 S., stated he is a resident of Suncrest Meadows and is very concerned about the proposal to add townhomes to that project; others in the subdivision are also concerned about it. He purchased his one-acre building lot with the understanding of the zoning and General Plan designation for properties surrounding his home; the area is still being marketed as one-acre lots, and that is how he would like it to stay. He is not opposed to high-density housing, but he purchased his property in a certain community with an expectation of the subdivision being finished as it was approved.

Kelly Nelson, 4818 W. 2700 S., stated he also lives in the Suncrest Meadows subdivision and he echoed Mr. Covington's concerns; he added that when he purchased his lot, the entire neighborhood was designed as one-acre lots. The updated application including towhomes shifts to a walkable community center in which there will be service oriented uses. The subject property is almost as far west as one can drive in the County before getting to 5100 West and this type of development will have negative impacts in the area. Increased traffic will result in more traffic incidents on 4700 West and 2550 South, which are already very busy roads. Adding 82 townhomes to a six-acre lot will increase traffic immensely. There are no sidewalks on 2550 South or 5100 West and school children are already waking along the narrow road to get to and from school.

Jill Hipwell, 585 S. 3600 W., stated she has raised this issue many times; on the agenda tonight, there are five work session items. She tries to get the word out to the community as much as possible, but she still believes the developer must put a sign on the subject property to notify the public of the types of changes they are proposing.

Commissioner Edwards asked if that is a requirement in the County's land use code. Planning Director Grover stated that is not a requirement, but the County has done it in the past as a courtesy in some instances; however, staffing levels typically do not permit the County to provide that service. Commissioner Edwards suggested the developer could be required to place the sign. Ms. Hipwell stated Morgan County requires applicants to place a sign at their own cost for 30 days before their application will be discussed. Mr. Grover stated that type of noticing is typically only required when a public hearing is being held, but he is not opposed to discussion of Ms. Hipwell's proposal.

4. Remarks from Planning Commissioners:

Commissioner Edwards stated he would like for staff to work on a recommendation that can be sent to the County Commission to see if they would allow the Commission to open the code to consider an amendment as suggested by Ms. Hipwell.

Commissioner Wichern stated that she sent an email to the Commission and staff expressing some of her concerns and she wanted to add to those comments; she is concerned that a lot of legislation protects development at the expense of taxpayers. Currently, there are several rules the County must follow that allow developers to not pay to mitigate deficiencies in a community when tax revenue has not been sufficient to care for the beauty of the community. However, the reverse is not true; the County does not have any legislation that protects taxpayers from being required to pay additional fees for development that occurs. Development can be beneficial to a community and if future generations are going to have the opportunity to live in this community, development is necessary. She has heard some comments about one-acre properties tonight and there will still be one-acre properties in the community, but the problem with properties of that size is that they require a lot of taxpayer dollars to maintain. Right now, Weber County has a very difficult time maintaining infrastructure because it is so spread out and the only way to address that issue is to make sure that going forward, the County is planning developments that can pay for themselves. This will present the need for taxpayers to subsidize those developments. The new General Plan allows for an average lot size of one-third of an acre. This means there will be lots that are smaller than a third of an acre, but others that are larger. There will also be increased open space, but there will be a continuing burden associated with maintaining open space and parks. Something else that is very concerning to her is that there is nothing in place to prevent overcrowding of schools; a development was proposed in her neighborhood where the schools were already too full, but the County could not deny the development based upon that fact. There is also no mechanism for the School District to raise revenues associated with an increase in student population. She feels proper planning is needed to ensure adequate school sizes and surrounding infrastructure to ensure kids can get safety to and from school. This will allow for safer and better planned communities. Requiring one-acre lot sizes does not make it possible to sustain current infrastructure and build additional infrastructure that is needed. She likes the master planned community concepts that have been coming forward recently and she wants to ask enough of developers to reduce the burden on existing residents.

Vice Chair Neville stated he understands and agrees with a lot of what Commissioner Wichern said; however, two items that are concerning to him are the assessment that bigger lots have a bigger impact on the community's infrastructure. He stated he disagrees with that because more waste in a sewer line has a bigger impact than less waste and more traffic on the road has a greater impact. He added he is an educator and has children in school; he is passionate about education, but is tired of everyone fighting for schools when he sees the school district waste tens of millions of dollars on one project because of poor planning. He does not want to keep fighting for the right of the school district to make costly mistakes. Commissioner Wichern agreed the school district could be more efficient with the funds they have, but Weber County is in charge of land use and keeping the community safe and if the County can do its part to plan in a way that keeps schools less crowded, maybe the relationship between the County and the school district will improve. She has also run numbers to determine the cost of infrastructure based upon capacity versus the length of a pipe and the length of the pipe is what determines the cost.

5. Planning Director Report:

Planning Director Grover provided the the Planning Commission with information regarding the Planning Commission dinner scheduled for next Tuesday. He thanked the Commission for their service.

6. Remarks from Legal Counsel

There were no remarks from Legal Counsel.

The meeting adjourned to a work session at 5:30 p.m.

WS1: A discussion regarding a zoning map amendment application and associated development agreement for the Gibson Farms Rezone, a master planned development that will rezone approximately 550 acres of property located within the area bounded by 12th Street, 4700 West, and the Weber River. The proposed rezone is to a new proposed zone called the “Traditional Neighborhood Zone” (TN) which will allow a variety of uses within a master planned development, guided by a concept plan, including single-family residential, mixed residential, and mixed neighborhood commercial. Applicant: Black Pine Group.

Principal Planner Ewert introduced the item.

Jeff Beck and Daniel Stephens, representing Black Pine Group, reported on a recent open house event that was held to discuss the proposed development with the community. They also presented an illustrative plan of the development area and identified the wetland areas, setbacks from the Weber River, different types of residential uses, as well as commercial and civic uses and farm buildings. They provided optional residential design concepts, possible programming of the passive and active open space and the ‘Emerald Necklace’;

Discussion among the Commission and Mr. Beck and Stephens centered on a phasing plan for the development and the setback from the Weber River and the manner in which that area will be utilized. Mr. Beck and Stephens left the Commission with an updated draft of the proposed development agreement for their review. Mr. Ewert advised the Commission to read the document with the understanding that the current draft is very developer centric, but it can be adjusted as negotiations regarding the project progress.

WS2: A discussion regarding a zoning map amendment application and concept plan for a project named the Bitton-Dee Zoning Map Amendment, which proposes to change to zoning from Agricultural A-1 to Residential R1-15. The project covers an area that is roughly 31 acres that spans the distance between 4100 West and 3600 West. Street and pathway design with a focus on the current condition of 4100 West Street and 3600 West Street could help guide the discussion.

Planner Lleverino introduced the item and provided a plat map to illustrate the applicant’s proposed development of the 31-acre parcel. Discussion among Planning staff, the Commission, and the applicant centered on the street layout, lot sizes, and connectivity to pathways in the area. Mr. Ewert indicated staff will continue discussions of the proposed development with the applicant as it moves forward.

WS3: A discussion regarding a zoning map amendment application and associated development agreement for the Westbridge Meadows rezone, a master planned development that will rezone approximately 1400 acres of property located within the area between the Weber River and 7500 West, and south of the Union Pacific Railroad. The zone(s) being proposed will include a Master Planned Development Overlay Zone (MPDOZ), and may include a variety of Single- Family Dwelling (R1), Two-Family Dwelling (R2), and Multi-Family Dwelling (R3) zones, as well as the Form-Based Zone (FB (mixed uses)) and the neighborhood commercial zone (C-1), and/or may include the creation of a new master-planned development zoning designation that is unique to the proposed development. Applicant: Fenix Development and Flagship.

Representatives of Fenix Development presented documentation illustrating the updates that have been made to the application materials for the Westbridge Meadows rezone since the Commission’s last review of the proposal. The first significant change relates to an industrial byway through the project to access the commercial component, which is essentially a “city center” idea and makes sense given the proximity of the project area to the future West Weber Highway corridor. The second significant change is narrowing the corridor along the River to ensure that the River is visible to those using the trail that will run along it. There was discussion among the Commission and the applicant regarding the language in the development agreement related to the location of the industrial byway, open space and public amenities, density, the required setback from the River to ensure no improvements are made within the flood plain, and phasing of the project over 10 to 15 years.

WS4: A discussion regarding a potential zone map amendment to rezone approximately seven acres of property located at approximately 5015 West 2550 South from the A-2 zone to the R-3A zone. Applicant: Carson Jones.

Principal Planner Ewert presented an aerial map to orient the Commission to the subject property; the future land use map identifies 5100 West and 2550 South as a small community node with mixed use commercial at the intersection and some mixed residential uses surrounding it, followed by standard residential development or green space. Commissioner Edwards cited comments made during the public comment period of tonight's business meeting by residents who are concerned about this proposal; they bought their properties based upon approved plans for the area that identified it as large lot single family residential, and he does not feel it is right to change the plans unless all residents in the existing development agree to it. Commissioner Wichern offered an alternative point of view, indicating everyone who lives in Western Weber County was planning on something different in their backyard than what they have received. All areas of the County were previously identified for rural development and any rezone that has been approved has replaced the plans that residents previously relied upon. Commissioner Edwards stated the difference for this subject property is that it was already platted, and that information was publicly available to people who were buying their properties and homes in the subdivision. There is still a sign posted on 4700 West that identifies lot lines of large residential lots and that is why he is a 'hard no' in terms of this zone change. Several Commissioners agreed with Commissioner Edwards and there was continued discussion of the existing development and failure of the applicant to complete 2700 South and other infrastructure improvements. Commissioner Neville stated that he would have a very hard time approving any future phase of this project until the current development is fully complete.

Commissioner Wichern stated she understands the opposition to townhomes on the property but wondered if there is any flexibility in reducing the lot sizes to something smaller than one acre. Commissioner Edwards answered no; he may be more flexible on Mr. Jones' next application for development of the area along 4700 West because that area has not been platted, but the seven acres on 2550 South has an approved plat identifying one-acre lots. Commissioner Neville stated that he would be willing to consider smaller lots if Mr. Jones is able to secure approval from every resident in the current development.

Mr. Jones then provided some history regarding the proposal; he has spoken with residents about the idea of constructing a cul-de-sac on the subject property rather than having 4950 West connect to 2550 South and when he talked to staff about that, they suggested that he wait to see the final outcome of the General Plan update project. He understands the opposition to townhomes at this time, but he was simply following advice of Planning staff. His concern at this time is developing more large lots and building multi-million-dollar homes on them, only for them to be upset in the future when some small commercial development occurs around them. Commissioners indicated that would be something to deal with when it happens and the difference in that scenario versus the current scenario is that the other properties surrounding the subject property were never platted and made public. So, future development proposals will be based upon the updated General Plan. Mr. Jones indicated that he is comfortable leaving the approved plat as it is, and he will proceed based upon current plans.

WS5: A discussion regarding a potential zone map amendment to rezone approximately thirteen acres of property located at approximately 2615 South 4700 West from the A-1 zone to the R1-15 zone. Applicant: Carson Jones.

Chair Favero indicated he thought that this property was already platted for half-acre lots. Mr. Jones stated that is correct, but he is requesting some modifications based upon the fact that the Utah Department of Transportation (UDOT) will not approve two access points to the property. There was discussion and debate among the Commission and staff regarding what has already been approved for the subject property and the number of access points that are actually needed onto 4700 West. Principal Planner Ewert stated that staff would require just one access onto 4700 West, somewhere south of 2550 South. Commissioner Neville indicated he wants to follow the approved plat and the requirement for one-acre lots on the property. Commissioner Edwards stated he understands that position but wants to know what was actually approved and he needs clear direction from the staff regarding the number of access points that will be required based on half-acre lots or full acre lots. Mr. Ewert stated that one access will be required once the development extends beyond 800 feet. The Commission indicated they do not like the requirement for the additional access onto 4700 West and this led to high level discussion among the group regarding connection options that would address the requirement for an additional access point without an access onto 4700 West. Mr. Jones stated that if he is going to be required to build an access onto 4700 West, he needs the rezone; otherwise, he will be required to eliminate a lot from his development and that will result in him taking a loss on the project. Mr. Ewert stated that staff will need to continue to discuss the connectivity elements of the project with Mr. Jones before proceeding with a formal application to the Commission. He indicated he needs to research the status of the preliminary plat for this property to determine if it is still active or has expired.

The work session adjourned at 8:20 p.m.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission