

Minutes of the Regular Meeting of the Western Weber Planning Commission for March 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: January 1 and 14, 2025.

Chair Favero introduced the minutes of the January 1 and 14, 2025 meetings and called for a motion regarding the same.

Commissioner Edwards moved to approve the January 1 and 15, 2025 minutes as presented. Commissioner McCormick seconded the motion, all voted in favor.

Chair Favero then asked if any member of the Commission needed to declare a conflict of interest or ex-parte communications. Commissioner Clontz declared a conflict of interest for agenda item 2.1, application ZMA2024-12.

2. Legislative Items:

2.1 ZMA2024-12: A public hearing regarding an application for a rezone of approximately 23 acres, located on the southwest corner of the 4700 West and 1150 South intersection, from the C-1 (Neighborhood Commercial) zone to the R3-A (Single-Family Detached and Attached) zone. Applicant: Fieldstone Homes. Staff Presenter: Charlie Ewert.

A staff memo from Principal Planner Ewert explained this is an application for a rezone of approximately 22.37 acres located at the southeast corner of 4700 West and 1150 South. The applicant seeks to rezone the property from the C-1 (Neighborhood Commercial) zone to the R3-A (Mixed-Use Residential) zone for the development of 50 single-family detached homes and 198 townhome units, totaling 248 dwelling units. The Western Weber General Plan designates the property as Vehicle-Oriented Commercial, which typically supports vehicle-related commercial uses, such as big-box retail or gas stations. Housing is allowed but only above or behind commercial uses, which conflicts with the applicant's request for a purely residential development. Staff believes that the rezone is premature given the current planning context and general plan designations. Further analysis or a possible amendment to the future land use map is recommended before proceeding to approval.

Mr. Ewert then used the aid of a PowerPoint presentation to summarize staff's analysis of the application based on the Western Weber General Plan, the Land Use Code, and best planning practices. He concluded after reviewing the proposal within the intended context of the Western Weber General Plan, it is staff's opinion that this rezone is not supported in this location by the general plan. Therefore, staff is recommending denial of the application. Should the applicant desire to first apply to amend the general plan's Future Land Use Map, and should that application be successful, then staff has very few concerns with the proposal and would likely readily recommend approval of it given certain conditions and considerations, including adjusting the parks donation. Staff's recommendation is offered with the following findings:

1. The proposal is not supported by the general plan's Future Land Use Map.
2. Without analyzing the proposed use in the context of the future/evolving uses of the area and the community sentiment, as we would do during a Future Land Use Map amendment review, it is challenging to say that this proposal is in the best interest of the community.
3. The property is either not the right property for the proposal, or this is not the right time for it.

Should the planning commission desire to recommend approval of the proposal, staff suggests tabling it to the next meeting so staff can better address considerations for approval with the applicant.

The public hearing was opened at 5:14 p.m.

Randy Smith, 12896 Pony Express Road, Draper, stated he is the applicant, and he thanked the Planning Commission for their consideration of this application tonight. He added Mr. Ewert has been great to work with. He then stated the subject property has many constraints in terms of accessibility and this makes a vehicular oriented commercial use somewhat difficult. He has looked at multiple different commercial options and has engaged in many discussions with Planning staff and the Planning Commission and that has informed the concept plan that is part of his application tonight; it represents three different housing products ranging in price from \$390,000 to \$500,000. He has offered a lower parks fee because he wants to spend more money on amenities within the project that can be utilized by the residents living there. He feels the current proposal is a great project and an opportunity to grow within the path of infrastructure improvements planned for the area. He recognizes that the proposal does not align with the future land use map, but it does align with the General Plan, which discusses mixes of housing types and prices and placing more density near traffic corridors. He concluded by expressing a willingness to answer any questions the Commission or the public may have.

Jill Hipwell, 585 S. 3600 W., stated she was present during the last update to the General Plan, and she is aware of the level of concern regarding designating the subject property as commercial. However, that was the final decision for the property, and she encouraged the Commission to leave it that way. What is concerning to her is the increase in traffic on the roads running along the property if this many residences are built on the property. She asked why that level of traffic is acceptable for residential use, but not commercial as the applicant has suggested. She is also concerned that the applicant is asking to pay a reduced parks fee, which is allocated to the public parks district, in order to put more amenities into his project.

There were no additional persons appearing to be heard and the public hearing was closed at 5:20 p.m.

Chair Favero stated he shares some of Ms. Hipwell's concerns; he would not be opposed to some residential development as part of a form-based project, but he does not think the subject property is suitable for a standard residential development. Commissioner Edwards agreed and stated he has struggled with discussion about this project. He noted the Commission has had a few work sessions regarding this project and the information that has been presented tonight is much different than what he thought came out of those meetings. He would be willing to allow some housing, but he would prefer the majority of the property be commercial. He stated that there is a process to apply for a General Plan amendment, but he feels the applicant is trying to circumvent that process. He would not be willing to consider a reduction of the parks fee; the purpose of that fee is to provide for more open space in the community when an applicant is seeking approval of a denser project. He concluded he would support a motion to deny the application. Vice Chair Neville agreed with all the points made by Commissioner Edwards. Commissioner Wichern indicated she is not opposed to some residential development in the area of the subject property, but she feels the concept is too vague and the density is too great. She does not feel she has enough information to support a rezone application. Commissioner Andreotti agreed that the commercial land use designation for the property, as written in the General Plan, should be upheld. He feels that different types of commercial uses could locate on the property, such as a fast food restaurant or a car wash, both of which could serve the community.

Commissioner Edwards moved to forward a negative recommendation to the County Commission regarding application ZMA2024-12, rezone of approximately 23 acres, located on the southwest corner of the 4700 West and 1150 South intersection, from the C-1 (Neighborhood Commercial) zone to the R3-A (Single-Family Detached and Attached) zone, based on the finding that the application does not conform to the General Plan. Commissioner Andreotti seconded the motion. Commissioners Edwards, Favero, Andreotti, McCormick, Neville, and Wichern voted aye. Commissioner Clontz abstained from voting. (Motion carried on a vote of 6-0).

2.2 ZMA2024-01: A public hearing regarding an application for a rezone and associated development agreement for the Westbridge Meadows development, a master planned community that will rezone approximately 1400 acres of property located within the area south of the Union Pacific Railroad between the Weber River and 7500 West. The zone(s) being proposed include a Master Planned Development Overlay Zone (MPDOZ), and 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 open space zone (O-1). Staff Presenter: Charlie Ewert

A staff memo from Principal Planner Ewert explained the proposed rezone involves a large 1400-acre site in Weber County, which is currently divided into 18 parcels and is zoned Agricultural A-3. The rezone proposal seeks to establish several zoning classifications to accommodate diverse residential densities, urban design principles, and various land uses. The proposal includes zones for single-family residential (R1-15, R1-12, R1-10, R1-5), two-family residential (R2), multi-family residential, as well as a Form-Based zone, open space (O-1), and a Master Planned Development Overlay Zone (MPDOZ).

Mr. Ewert then used the aid of a PowerPoint presentation to summarize staff's analysis of the application, including the following:

- Consistency with the General Plan;
- Compatibility with existing development;
- Impacts on adjacent properties;
- Adequacy of facilities and services;
- Environmental considerations; and
- Traffic mitigation.

He concluded After reviewing the proposal within the intended context of the Western Weber General Plan, it is staff's opinion that this rezone will significantly help advance the vision and goals of the plan. Staff is recommending approval of the rezone. This recommendation is offered with all considerations specified in the draft development agreement attached as Exhibit B. Staff's recommendation is offered with the following findings:

1. After the considerations listed in this report are applied through the attached development agreement, the proposal generally supports and is anticipated by the vision, goals, and objectives of the Western Weber General Plan.
2. The project is beneficial to the overall health, safety, and welfare of the community, as provided in detail in the Western Weber General Plan.
3. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

Chair Favero referenced the availability of water in the project area; the local provider has indicated there is sufficient water available, but the Commission does not know the basis of that information. He asked if that is a matter the Commission should consider as they are making a recommendation to the County Commission regarding the proposed zoning and master development agreement (MDA) for the project. Mr. Ewert indicated the State of Utah has required counties to be performing some water planning for the future, including working with water providers to develop a county-wide water plan. However, when it comes to a project like this, there is less clarity. If there is a long-standing concern about water issues in the project area or on the subject property, and the Commission does not want to offer entitlements that extend beyond the county's ability to understand those water issues, that is a valid position. The County is not in control of water in the area and the policy question is whether water should guide policy decisions. Vice Chair Neville stated that for a project area of this size, the County should consider every detail; it is his position that the Commission should carefully consider water concerns before making a recommendation. Commissioner Edwards agreed; Weber County's Land Use Code (LUC) has six different decision criteria for determining whether a rezone is merited, the fourth being "the adequacy of facilities and services intended to serve the subject property..". For most developments, he is comfortable allowing the water provider to communicate if there is sufficient water. He noted that state's indoor water use estimate per unit is .35-acre feet per year, which equates to 4,620-acre feet; Causey Reservoir has a capacity of holding 7,870-acre feet. The proposed project has the potential to have 13,200 housing units, meaning that this project alone would need half of the available water in Causey Reservoir each year. He stated that only addresses indoor use and outdoor water use is another issue. He emphasized that water availability is a big issue for this project. He then discussed other development in the western part of Weber County; there is roughly 7,000-acre feet of water needed for paper lots or proposals and the County has no control over the availability of water. He wants to know if the applicant has access to water for the project; much of the property included in the project area does not have water rights that can be utilized. He acknowledged the letter provided by West Warren Water indicating the developer has spoken with them about their proposal, but those discussions took place in March of 2024 and there have been many changes to the proposal since that time. West Warren Water currently has about 500 connections at the present time and this project will result in an additional 13,000 connections and he feels much more discussion is needed about the adequacy of facilities to serve the property.

Chair Favero then invited the applicant to provide input.

Jeff Meads stated he is present tonight with Kameron Spencer and Brandon Green and they represent a joint venture between Fenex Development and Flagship Homes; he acknowledged there is a lot to digest with a project of this size and his main goal is to respond to the questions about 'why this development' and 'why at this location'. He discussed the complexity and size of the project and highlighted many of the issues that Mr. Ewert already addressed regarding the current layout and condition of the subject property; it is rare to find this much property vacant and underused and he sees that as an opportunity, specifically in terms of the impacts of development. He acknowledged the significant amount of growth planned for the area but noted that it is anticipated to take up to 40 years for all growth to occur. With the amount of additional planning and engineering that must be

done on the project, he does not believe it will even be possible to break ground for three to five years. Tonight, he wished to address concerns that have been raised by Planning staff, the Planning Commission, and the public; first he discussed water and stated he met with Weber Basin Water Conservancy District (WBWCD) last July to ensure he could secure sufficient water rights to serve the area over the life of the project. West Warren Water will be WBWCD's client in this endeavor, but he was assured verbally that ongoing collaboration would result in his ability to secure sufficient water rights. Delivery of the water will be handled by West Warren Water and much more engineering and studying is needed to ensure that is possible. There are also concerns about sewer infrastructure and service and he is still working with Little Mountain Sewer to firm up the relationship to ensure service can be provided to the area. He added the property is virtually landlocked and he has worked tirelessly with Planning staff on appropriate accessibility and transportation infrastructure. The diagrams provided by Mr. Ewert are a result of those efforts and a robust traffic study that was conducted for the proposal. He added his team wants to be good neighbors to Ogden Bay and will continue to strengthen the relationship with the entity that manages that area. Parks and trails are also a priority, and this is a generational opportunity to add and incorporate a great deal of open space improvement in the County's system; this will be his largest endeavor in terms of the sheer miles of trails and acreage for parks. His team will dedicate 90 acres for public parks as well as an additional 160 acres for smaller parks, trail systems, and open space preservation. This is monumental for his team. He has met with the School District to help to address the impact this project could have on them; they have provided a letter today acknowledging the development and the ongoing spirit of collaboration. He also addressed environmental issues and expressed a commitment to work in concert with the Federal Emergency Management Agency (FEMA) on wetlands and other matters that may arise on the property. He noted there are many challenges, but it is important to avoid paralysis as a result; he has been collaborating with Weber County for over three years and participated in the General Plan process, which he found to be productive and positive. After the General Plan update was completed, he made application to Weber County for this specific project almost 18 months ago. What has transpired since that application was made is continued productive collaboration with County staff, special service districts, and the public. He continues to seek revisions to the County's zoning code to better deliver on the General Plan. He is committed to continuing to work with all stakeholders; he does not have all the answers, but he does know how to move forward and continues working towards the end goal for the project. He wishes to continue with his significant investment in Weber County and he believes this project has captured the spirit of what Utah stands for – pioneering and family. This is a once in a generation opportunity to create a community where attainability can meet legacy and every stage in between to live, play, worship, learn, and thrive for generations to come. It is hard to accomplish that kind of vision 20 acres at a time, but the scale of this project will make it easier to accomplish.

The Commission engaged in discussion with Mr. Mead regarding the topic if a wetland analysis for the property; and ownership of the property and/or letters of acknowledgement from current owners agreeing to the rezone.

The public hearing was opened at 6:23 p.m.

R. Jeffery Hicks, 6680 S. 475 E., South Weber, stated he represents the Utah Airboat Association. He noted the 'Emerald Necklace' concept along the Weber River shows so much insight; those charged with stewardship of the land in the past have failed to protect these types of corridors and the developer and planners have shown foresight in doing that. He would urge the County to prevent any future developments from infringing on the River corridor any further. A 100-foot preservation area is not sufficient, and he suggested a much greater width to help avoid flooding of the area and to protect the wildlife that lives along the River. He also encouraged appropriate buffering against the bird refuge property further to the west; the public uses that area regularly and it is not appropriate to infringe on that public land.

Tony Kent, 3987 S. 2200 W., Roy, stated there was a mistake in Mr. Ewert's presentation relative to wetlands being dedicated by the United States Fish and Wildlife Service; that is not true as wetlands can only be dedicated by the Army Corps of Engineers through a United States Geological Survey. They must follow maps and not the advice or statement of a landowner. There are likely 750 to 1,000 acres of wetlands in the project area that must be mitigated at a one-to-one ratio, and this will inevitably increase the cost of the project. He also discussed buffer areas and noted that what is being proposed by the applicant would allow encroachment of development further into the River corridor and this is problematic. He noted the applicant's materials have indicated that additional stormwater runoff will be good for the Ogden Bay, but this is only true if the water is clean and that will not be the case for this additional stormwater. It will contain oil, fertilizer, grass, and other materials and it would be necessary for the developer to install a cleaning cell in order for the water to drain directly into the Ogden Bay. The proposed bridge that will connect the project area to 2500 South would cut directly through the Ogden Bay Waterfowl Management Area (WMA) and this will reduce the ability of the public to hunt that area. This will be very concerning for hunters in the area.

Brody Heslop, 2853 S. 3925 W., Taylor, also expressed concern about the wetlands in the area. There are only about five people in this room that can accurately communicate the actual amount of wetlands in the area, even better than the Army Corps of Engineers. He has lived on the property and along the Weber River his entire life and most of the land is wet. He added another exit for the Weber River is needed to avoid flood risk for development along the River. He addressed Mr. Mead and stated that he may have spoken with the Planning staff and special service districts, but he nor his partners have engaged with all property owners and those that will be affected by this proposal. The residents have a lot of concerns and the lack of communication with the developers cause him to oppose the proposal. He is very concerned about water availability for the project area and until the applicant can ensure there is sufficient water or a new reservoir to support the project, the deal should be off.

Mark Wayment, 4852 W. 5100 S., Hooper, stated his sentiments are the same as Mr. Heslop's; there are many issues and impacts that have not been adequately addressed and it is important to pay attention to the sentiments and feedback from those that have lived in and on the property for decades. He cares deeply about protecting the wildlife resources in the area and the applicant's proposal is contrary to those efforts. He asked the Commission to consider how big of an impact this project can have on the community before making a decision.

Casey Snyder, 10802 S. Highway 165, Paradise, stated he is representing Ducks Unlimited, which is a national organization dedicated to the promotion and protection of waterfowl. There are 6,000 Ducks Unlimited members in Utah and 600,000 nationally. The Commission has received a letter from the Division of Wildlife Resources dated March 7; that letter outlines the concerns of the many stakeholders in the County and the State. He stated that at one point in the discussions between the applicants and the State of Utah, there was some indication they would be willing to accept and honor a 600-foot setback from the WMA at Ogden Bay, in order to allow for continued hunting access at the WMA. There is still a need for other buffering in the project area and he asked the Commission to consider those issues before making a decision.

Mark Tobias, 144 W. 4175 N., Pleasant View, stated he has heard the applicant describe the project area as 'vacant', but he would submit that there is something happening in the area – it is a longstanding waterfowl migratory area and is a precious resource in the State of Utah. When he heard of the potential for 13,000 dwellings, that sounds like 'parking a town on the front lawn of the WMA'. This is a seismic development and it not be rewarding for hunters to continue to recreate at the WMA when there are houses just 600 feet away. He sees the potential for a lot of public concern about the proximity of the project to the WMA. He added Utah is unique in its amount of public hunting access and that must be protected to the greatest extent possible because it is one of the things that makes Utah great to live in. If that is lost, Utah will become 'just another place'.

Steven Davis, 1688 S. 7500 W., West Warren, stated that he is most concerned about water; he is a member of the Board for the West Warren Water District and one of the contingencies associated with their letter is that water must be available. He referenced the size of the project and noted the ability of a developer to get water rights at this time is very difficult; additionally, connection costs and impact fees continue to increase. This is an issue not only for this project, but for all other development projects in the western area of the County. Availability of sewer service is also a critical issue that must be dealt with.

Colton Strong, 776 3rd Street, Ogden, stated he shares many of the concerns that have already been raised; he referenced the applicant's comments about the property being vacant, but only someone who does not visit the property frequently would think that. He stated he is in the area on a regular basis and has seen wildlife living on the property and it is difficult to put a value on public land, its resources, and the wildlife habitat. He also echoed concerns about stormwater draining to waterways and the WMA. He is hopeful it is possible to preserve natural resources for future generations to come.

Jim Sheer, 2058 N. 3900 W, Plain City, stated the applicant did a good job on his presentation, but ultimately the developers are working on this type of project to make money. There are many challenges with the property, including wetlands, destroying wildlife habitats, and the availability of services. If this project moves forward, he would beg the developer to leave the wetlands untouched or to provide sufficient open space to provide meaningful access to the area in the future.

David Lewis, 5728 S. 1475 E., Ogden, stated he is the president of the Northern Wasatch Home Builders Association, and he is also representing Adam Speth, the Government Affairs Chair of the Northern Wasatch Association of Realtors. He encouraged the Commission to do whatever they can to remove barriers to home ownership and increase opportunities for people to purchase a home. He believes this project will bring much need housing to this area of the State of Utah and he urged the Commission to do everything they can to help reduce fees or financial restrictions that prevent people from owning home. One County fee in particular is referred to as a 'donation' and he asked that be brought within the bound of laws specifically designed to help protect homebuyers. He thanked the Planning Commission for their service and consideration tonight.

Dale Penrod, 6755 W. 900 S., addressed the proposal to rezone property owned by his trust; at this point in time there is no access to the property, nor is there sewer, water, or power service to the property. The owner of the property is opposed to this change at this time. Years will pass before the developer is in need of developing his and surrounding properties and maintaining the current agricultural zoning of his property will not impede the development.

Braden Mitchell, 3506 S. 575 W., Riverdale, stated he has researched the guiding principles for the Planning Commission when considering this type of application; he read from the Land Use Code and General Plan regarding the community character and vision. The Commission is facing a very difficult decision tonight given the size and scale of the proposed project; adding the proposed density to the area would essentially make it the second largest city in the County. Putting the Commission on the spot to approve a project that will not come to fruition for 30 to 40 years is unconscionable. He has dealt with water issues and has never seen the amount of water needed to serve this property come available. He feels the Commission has adequate grounds to stand on to recommend denial of the application.

Lori Fielding, 6529 W. 900 S., stated the proposed development will be directly below her home and she does not want to look out her back door to see the type of growth that is being proposed. She also agreed with the comments that have been made about the scarcity of water and inadequate sewer infrastructure to serve the project. She is also concerned about the wildlife and emphasized that this is not the kind of development existing residents want.

Jill Hipwell, 585 W. 3600 S., asked if there is way for the Commission to place conditions on the property to ensure that it will revert to its previous zoning if the project falls through.

Chuck Harsin, 983 W. 2150 S., West Haven, stated he is a longtime waterfowler with the Airboat Association and the Utah Waterfowl Association; a development of this size in the area that has been selected is concerning. There are thousands of ducks and geese the nest in the area, mule deer, coyotes, and much more wildlife. It is a 'gem' in the region, and he has been hunting there for 30 years with his son. Besides the magnitude of the development, one thing that is very concerning is the small setback between the project area and the WMA; it is important to require appropriate distances between structures and the WMA and the Weber River so that people can still hunt in the area. He is strongly opposed to the development of as a whole because it is necessary to maintain some open and natural spaces. Development is important, but this is not the spot for it.

Brent Davis, 7406 W. 900 S., stated he is a small farmer, and these are the types of projects that are pushing farmers out; the area has always been farmland, and he has worked it for four generations. He would like to be able to keep operating in the area.

There were no additional persons appearing to be heard and the public hearing was closed at 6:57 p.m.

Commissioners engaged in discussion and debate regarding the points raised during the public hearing; the discussion centered on the size of the project area and the potential impacts on the wildlife habitats on the property; access and transportation improvements; availability of water and sewer services; compatibility with the General Plan; the short period of time the Commission has had to review the draft development agreement; landowner rights; phasing of the project in the future and the amount of time it will take to reach buildout; the presence of wetlands along the Weber River; the different types of housing to be included in the project if it is approved; the need for more housing in the area in the future; and open space and recreational improvements included in the project plan.

Commissioner Edwards moved to forward a negative recommendation to the County Commission regarding application ZMA2024-01, rezone and associated development agreement for the Westbridge Meadows development, a master planned community that will rezone approximately 1400 acres of property located within the area south of the Union Pacific Railroad between the Weber River and 7500 West. The zone(s) being proposed include a Master Planned Development Overlay Zone (MPDOZ), and 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 open space zone (O-1). Findings for the motion include all the points of concerns that have been raised during the public hearing and the lack of sufficient information to support a recommendation of approval. Commissioner Wichern seconded the motion. Commissioners Edwards voted aye. Commissioners Clontz, Wichern, Neville, Andreotti, McCormick, and Favero voted nay. (Motion failed on a vote of 6-1).

Vice Chair Neville stated he voted in opposition of recommending denial of the application because he wants to provide the applicant time to work on the application responsive to the public concerns that have been raised tonight.

Commissioner Wichern moved to table application ZMA2024-01, rezone and associated development agreement for the Westbridge Meadows development, a master planned community that will rezone approximately 1400 acres of property located within the area south of the Union Pacific Railroad between the Weber River and 7500 West. The zone(s) being proposed include a Master Planned Development Overlay Zone (MPDOZ), and 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 open space zone (O-1). Commissioner Clontz seconded the motion. Commissioners Clontz, Wichern, Neville, Andreotti, McCormick, and Favero voted aye. Commissioner Edwards voted nay. (Motion carried on a vote of 6-1).

Chair Favero called for a ten-minute recess at 7:19 p.m.

The meeting resumed at 7:29 p.m.

2.3 ZMA2025-01: A public hearing regarding an application to rezone 31.4 acres of land generally known as the Bitton Dee rezone, located at approximately 601 South 3600 West, from the A-1 zone to the R1-15 zone. Presenter, Felix Lleverino

Planner Lleverino explained the applicant's proposal is to rezone the 31.4 acres that are currently vacant with agricultural crop farming. The change in zoning from Agricultural A-1 to the R1-15 would allow for a system of public roads and pathways connecting 4100 West Street to 3600 West Streets thereby resulting in a street block measuring 600' to 1500'. This rezone, if approved, is recommended to be accompanied by a development agreement. Through this development agreement, the county can capture additional considerations unique to the property. The change in zoning will apply to the entire 31.4-acre parcel and the standards in the development agreement will apply to all lots within the rezone boundary. In a work session with the planning commission that took place on February 11, 2025, the planning commission was ready to schedule this proposal for a public hearing where they will consider a recommendation to the County Commission. After an evaluation by the staff, to determine applicability with the General Plan, it is staff's recommendation that the planning commission forward a positive recommendation with additional standards included with the development agreement. Particularly that the necessary shoulder improvements to 4100 West Street are completed with the development. Staff is recommending approval of the rezone.

Mr. Lleverino then used the aid of a PowerPoint presentation to summarize staff's analysis including the following:

- Consistency with the General Plan;
- Compatibility with existing development;
- Impacts on adjacent properties;
- Adequacy of facilities and services;
- Environmental considerations; and
- Traffic mitigation.

He concluded that after reviewing the proposal within the intended context of the Western Weber General Plan, it is staff's opinion that this rezone will help advance the vision and goals of the plan. Staff is recommending approval of the rezone. This recommendation is offered with the following considerations, which are intended to be incorporated into a zoning development agreement:

1. The standards from the development agreement are included with this recommendation.
2. The proposed street and pathway layout illustrated in the concept plan is sufficient to meet the connectivity standards of the county code.
3. To provide pedestrian access to the West Weber Elementary School and a church, street improvements, as directed by the County Engineer and by the development agreement, are made to 4100 West.

Staff's recommendation is offered with the following findings:

1. After the considerations listed in this recommendation are applied through a development agreement, the proposal generally supports and is anticipated by the vision, goals, and objectives of the Western Weber General Plan.
2. The project is beneficial to the overall health, safety, and welfare of the community, as provided in detail in the Western Weber General Plan.
3. A negotiated development agreement is the most reliable way for both the county and the applicant to realize mutual benefit.

Chair Favero asked if there is any new information from Engineering regarding improving 4100 West from the northern boundary of this subdivision going south to 900 South. Mr. Lleverino stated he has not had a chance to speak with Engineering about that issue.

Commissioner Edwards stated he is supportive of the template of the development agreement, but there are a few things that need to be added, including the area of the property being part of the Western Weber General Plan area, a 10-year time frame for the development agreement, language regarding 4100 West, and reference of the number of units that can be included in the project. He stated based on that information missing from the development agreement, he does not believe the application is complete to the point that the Commission can make a recommendation on it.

Chair Favero invited input from the applicant; the applicant indicated he did not have anything to add to Mr. Lleverino's report.

The public hearing was opened at 7:35 p.m.

Dale McLean, 721 S. 4100 W., stated the first time he heard of this application was last week when he received a postcard in the mail that showed a subdivision that he was not aware of. It is very inconsiderate of developers and the County to not inform residents who live in the area and who stand to be impacted the most as a result of demands placed on infrastructure that is inadequate to support new growth. The ingress onto 4100 West is problematic because headlights of cars using that ingress will shine directly into his home. This may be insignificant to the developer, but he asked the Commission to think how they would feel in his situation. He chose to build his home in that location because there were no roads across the street from it; he could have built elsewhere if he had known of the potential for the new connection. He stated that when he moved to the area, the minimum lot size requirement was a full acre and that has only reduced over the past several years. He is disappointed that no other landowners in the area were informed of this proposal. He is concerned about the potential cost to residents who live along 4100 West.

There were no additional persons appearing to be heard and the public hearing was closed at 7:38 p.m.

Commissioner Edwards stated several members of the public have asked for the County to require applicants to post signs on a subject property when it is part of a development application; he asked what it would take to make that happen in order to improve noticing to residents and other property owners.

Chair Favero stated that he would also like more information about the connection to 4100 West; he also addressed Mr. McLean and stated he feels his pain because his mother's house is in a location where a new road was recently constructed and headlights shine in her home every night.

Commissioner Edwards reiterated he does not feel the Commission has enough information to make a decision on this application tonight. Vice Chair Neville stated he feels it would be appropriate to hear from the applicant before making a motion to table the application.

Pat Burns stated he has tried to meet with property owners surrounding the subject property but acknowledged he has not met with everyone in the area. He addressed Commissioner Edwards and stated he is not sure what is missing from the development agreement, and it was his understanding that it could still be finalized at a later date. Commissioner Edwards indicated the Commission has only been provided with a draft and there are at least four things missing from the document. The Commission is required to make a recommendation to the legislative body regarding the development agreement and he does not feel he can do that if the agreement is not complete.

Vice Chair Neville asked Mr. Burns if he has information regarding the transportation improvements. Mr. Burns highlighted the point to which he plans to construct roads that are needed for his development; he has not considered extensions to serve existing homes.

Commissioner Edwards moved to table application ZMA2025-01. rezone 31.4 acres of land generally known as the Bitton Dee rezoned, located at approximately 601 South 3600 West, from the A-1 zone to the R1-15 zone, based on the finding that the development agreement associated with the rezoned is incomplete. Vice Chair Neville seconded the motion. Commissioners Edwards, Favero, Andreotti, Clontz, McCormick, Neville, and Wichern voted aye. (Motion carried on a vote of 7-0).

Mr. Burns asked if there is anything else he needs to do besides complete the sections of the development agreement mentioned by Commissioner Edwards. Chair Favero answered no.

3. Public Comment for Items not on the Agenda:

Pat Burns stated he regularly attends Planning Commission meetings for many different entities and he finds the Western Weber County Planning Commission to be very thoughtful and professional in their deliberations.

Dale McLean stated he has another property in Weber County that could be impacted by future development and he would like to know how to find information on any future plans for the area. Planning Director Grover asked Mr. McLean to leave his contact information in order for him to reach out and discuss his concerns with him.

4. Remarks from Planning Commissioners:

Commissioner Edwards clarified that the Planning Commissioner does not encourage or solicit development; accusing the Planning staff or Commission of doing a poor job of communicating because an adjacent property owner did not inform them that they were selling their property to a developer is unfair. The Commission has a thankless job and they are only dealing with applications as they are presented. He then stated that he is not opposed to development or property rights, but he wants to carefully consider the overall impact a project like the Westbridge development can have on the community. He does not think it is a bad project, but it is important to consider if the time is right for that project; the applicant has indicated it is a 30-50 year project, but there is another similar project that has been proposed for the area. The County has already changed so much over the past five to ten years and it is difficult for him to comprehend a development agreement that could extend 30 to 50 years. Chair Favero agreed that things are constantly changing; there is an orderliness that must happen in terms of planning to ensure the correct timing and cohesiveness of future development. The County must look for options for creating housing opportunities for future generations of the County while also reducing waste at the same time. This dialogue led to high level philosophical discussion and debate among the Commission regarding the importance of being objective and forward thinking when dealing with planning proposals for this area of Weber County.

5. Planning Director Report:

Planning Director Grover complimented the Commission on the way they handled the public hearings on tonight's agenda. He then provided information regarding upcoming training opportunities for the Commission.

6. Remarks from Legal Counsel

There were no remarks from Legal Counsel.

The work session adjourned at 8:14 p.m.

Respectfully Submitted,

Cassie Brown

Weber County Planning Commission