

**Minutes for Western Planning Commission meeting of July 13, 2021, held in the Weber County Commission Chamber,
2380 Washington Blvd. Floor 1 Ogden UT at 5:00 pm & Via Zoom Video Conferencing**

Members present: **Andrew Favero-Chair**
 Bren Edwards-Vice Chair
 Wayne Andreotti
 Sarah Wichern

Members Excused: **Greg Bell**
 Bruce Nilson
 Jed McCormick

Staff Present: Rick Grover, Planning Director; Steve Burton, Principle Planner; Liam Keogh, Legal Counsel; Marta Borchert, Secretary; June Nelson, Secretary

- **Pledge of Allegiance**
- **Roll Call**

1.1 LVS03252021: Consideration and action on preliminary approval of Saddlewood Estates Subdivision, Consisting of 27 lots.

Steve Burton states that The applicant is requesting preliminary approval of Saddlewood Estates Subdivision, consisting of 27 lots. This proposal includes connection to a county, dedicated road (5100 West St), and creation of four county-dedicated roads (4950 West, St, 5000 West St, and 5050 West St) located at approximately 1900 S 5000 W in the A-2 and A-1 Zones. 5050 South Street will have a cul-de-sac at the north end, in lieu of connecting to 1900 South Street. The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by the Uniform Land Use Code of Weber County (LUC). The lot widths and areas in this proposed subdivision exceed the minimum requirements for a lot averaged subdivision in the A-1 and A-2 zones. The following is a brief synopsis of the review criteria and conformance with LUC. This subdivision layout has gone through a couple of revisions since the submittal of the application, due to discussions on how to connect 5100 West Street. Curb, gutter, and sidewalks to be included in the entire area. There will be additional roads to access the area, that the owner will help pay for. Since the road is not included in the area, the owner will not be required to do the road now. Staff recommends approval while meeting all the requirements. The area needs to be annexed for the sewer district.

Chair Favero opens the public comment.

Johnny Georgio 5306 W 1600 S, States that he is concerned about the amount of traffic in the area. He just wants to make sure that it is done right.

Rick Hodson 5040 W 2100 S, is concerned about the road that runs behind his house. Is there a fence requirement? He also stated that there are wetlands in the area and wants to know how they will be affected.

Public Comment is closed.

Engineer Jim, from the proposed development, stated that the sewer will come from the south and will work by gravity. Secondary water will come from 5100 W.

Chair Favero stated that he had concerns about the interconnectivity of the subdivision. He asked what that impacts will there be for the future? There is no time frame for road improvements. Planner Steve Burton answered that there are no fence requirements to be by their roads. There are no wetlands in the subdivision area. The builder is going to build a retention pond for natural drainage.

MOTION: Commissioner Edwards moved to recommend preliminary approval of Saddlewood Estates Subdivision, a lot-averaged subdivision, consisting of 27 lots, located at approximately 1900 S 5000 W, Ogden, UT. This recommendation is subject to all review agency requirements, and the following conditions:

1. Prior to scheduling for final approval with the Planning Commission, Taylor West Weber Water and Hooper Irrigation must issue unconditional approval for this project.
2. Proof of annexation into the Central Weber Sewer District, if it has not already been provided and a letter updated to include 27 lots
3. A table must be shown on the final plat, showing lot area and widths for all lots within this subdivision, along with the calculated average for each. It must be noted, under the name of the subdivision, that this is a lot-averaged subdivision on the final plat.

This recommendation is based on the following findings:

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

Commissioner Andreotti seconds. Motion passes 4-0.

2.1 ZMA 2021-05: a public hearing, and consider and take action on ZMA 2021-05 a request to amend the zone map to rezone approximately 87 acres from the A-2 (medium agriculture) zone to the C-2 (medium commercial) zone and varying residential zones at approximately 2650 West 1200 South, and a request to amend the general plan's future land use map to enable the rezone.

Charlie Ewert states that there will be asphalt walkways to enclose the parcel. A traffic study is needed. A possible traffic light in the future after a study from UDOT. Dark sky lighting is recommended. The builder is proposing an agriculture-style look for commercial buildings. Buildings will be brought to the front of the property with parking to the side and back.

There were no questions from the Commissioners.

Pat Burns Applicant states he is open to any questions.

MOTION: Commissioner Edwards moved to open the public hearing. Chair Favero seconded. Motion carries (4-0)

Open for public comment

Dan Hammer 1056 S 2800 W, had concerns about the following; culinary water, secondary water, large power lines that run through the proposed property, lot size and will there be duplexes.

Lewis Patterson 1741 S 2900 W, Traffic is already horrible. There is a walking trail in the area that has already experienced transients and vandalism.

Becky Hammer 1056 S 2800, asks if there will be 70 homes or 250 homes. She asks if the lots will be ½ or 1/3 acre? She notes that there is already not enough water for farmers. Really large power poles run through the property. She is also concerned about the flood plain and a canal in the area.

Robert Pilarczyk 742 S 7500 W states this is a significant deviation from the current zone in the area. He notes that the request is to change the zone for something already available in the area. He asks what the benefit to the community is versus the benefit to the developer. There is a significant amount of wetlands on that property, this is an important detail. It is not being addressed very well. There was mention of the look from the street. It is important because as people enter the community they are going to pass by this and it might just be one step to the consumption of all of their properties into commercial.

MOTION: Commissioner Edward moves to close the public hearing. Commissioner Wichern seconds. (4-0)

Public Hearing was closed.

Dave Laloli states that he is working with Pat Burns that they will be using Taylor West Weber culinary water. There is pressurized secondary water available in the area. As for sewer concerns, 2000 W Marriott Slaterville Central Weber said that it was ok to use. As for the Power towers, they cannot put roads under these power lines. There would need to be an upgrade to natural gas lines.

Charlie Ewert states that the amount of lots is negotiable for RE-15 to RE-20. Some lower-moderate income housing will need to be included. They are hoping to include a gas station and grocery stores in the commercial zone. How will it help the community? There will be a portion of moderate-priced housing, pathway by the river, closer shopping, secondary water pond is possible. We cannot ask the developer to fence the pathway. There will be more connectivity for the walkway. More usage will help provide safety and stop vandalism.

Director Grover states that there is a lot of junk salvage yards in the area. We do need a place for those to be. There has also been a problem with Public Notices that have been addressed. Notices will now be sent out to residents about zone changes. Traffic issues will need to be worked out with UDOT for any future changes. This is just an application for possible development. There is still a lot of work to determine wetlands and any mitigation.

Commissioner Favero stated that wetlands are also an issue for agriculture as well as for developers.

Mr. Laloi stated that the Hooper Canal will be a secondary source, Developers will and can provide a pond for the area. There will be no townhomes in RE-15 and RE- 20. Wetlands have been addressed and there are 2.95 acres of wetlands.

Commissioner Edwards said that the area is growing. There is a state-funded road. The development will also provide some income for the city.

Commissioner Wichern said that we must best serve the community. We should make wise developments for the area. We want to be smart about this.

Commissioner Andreotti stated that to make the development work, we need to respect the agricultural environment. We want people to come here and stay.

Chair Favero said that development is coming. Change is happening. We want things done right. We want to bring prosperity to the area. We need affordable housing planned into the area for our families.

Commissioner Wichern reminded us that comments from the community can help shape growth.

MOTION: Commissioner Wichern moves to forward a positive recommendation concerning ZMA 2021-05: a public hearing, and consider and take action on ZMA 2021-05 a request to amend the zone map to rezone approximately 87 acres from the A-2 (medium agriculture) zone to the C-2 (medium commercial) zone and varying residential zones at approximately 2650 West 1200 South, and a request to amend the general plan's future land use map to enable the rezone this recommendation is based on the following conditions: 1. The property should be rezoned to a mix of residential estate and commercial, with the C-2 zone located along 12th Street. 2. The commercial development should be setback from the public right-of-way no more than 20 feet to hold the street corridor visually. Likewise, the corner of 2800 and 12th Street should have a building that holds the corner visually. If that corner will be occupied by a gas station, then the gas pumps shall be located in the rear of the building away from the public right of way. To encourage buildings along the street-front, parking lots should be located no closer to 12th street or 2800 West than 100 feet. 3. Four foot berms should be created along 2800 West to shield the development/parking lots from view of adjacent residences. 4. Four foot berms should be created around the north and west sides of existing residential parcels on the east side of 2800 West. The same berms will be provided on the south side in the event of the parcels in the event non-agrarian uses are established in view of the residences. 5. A pathway should encircle the outer perimeter of the project, lined on the project's south and west boundaries with shade trees of a species and spacing that are expected to create 75 percent linear canopy coverage within 15 years of planting. 6. All onsite permanent lighting fixtures should be designed to provide the minimum lighting necessary to ensure adequate vision, comfort and safety and should be downward directed and fully shielded to not cause glare or direct illumination onto adjacent properties or streets. Additionally, the lighting of surface parking lots should not exceed 0.4-foot-candles and have a light distribution uniformity ratio no greater than 4:1. 7. The height of buildings along 1200 South and, if applicable, 2800 West, should be no greater than 45 feet for a distance from the street right-of-way of 100 feet. Maximum building height otherwise should be 65 feet. 8. The buildings with fronts visible from 1200 South or 2800 West should be treated with agrarian architectural features. The development agreement should contain architectural standards for all buildings along 12th Street 9. That all berms, trees, pathways, and associated vegetation should be installed prior to certificate of occupancy for the first building. 10. That all other agency concerns should be accounted for as may be necessary in the development agreement. This recommendation may come with the following findings: 1. With the proposed amendment to the West Central Weber County General Plan, the proposed rezone complies with the general plan. 2. The proposal will offer an economic benefit to the community in a well-planned manner that offers relatively minimal community impacts in comparison to other economic development possibilities. 3. The proposal offers public recreation, shopping, jobs, and will offer moderate-income housing, all cornerstones of sustainable community planning principles. 4. The impacts of the development on adjacent landowners is proposed to be appropriately minimized by use of natural and built buffers. 5. The development will enhance the overall health, safety, and welfare of the community. Commissioner Andreotti seconds. Motion carries (4-0)

2.2 ZMA 2021-04: A public hearing to consider and take action on a proposed rezone of approximately 122 acres of property located at approximately 1290 S. 7500 W. from the agricultural (A-3) zone to the agricultural (A-2) zone.

Charlie Ewert states that there is lots of room for development. The land is not great for growing crops but ok for grazing animals. The current code is no developments on a dead-end road. How much development is ok for the area. Building, crossing on 7100 W railroad is a concern. There needs to be an egress. You can go 3 miles to another crossing. 10100 W is a private railroad crossing. Are people willing to build a bridge over river crossing? There will be no permits until the

Fire Chief OKs safety access. They may be asking the applicant to put aside funds for a project improvement fee. Any new development will also need to pay into this fee. County Commission had a meeting about the railroad crossing. Do we need separate zoning and egress? Staff recommends going ahead with the zone change.

Commissioner Edwards asks can the dead-end road be extended to get closer to the 122 acres? A rezoning will change the amount of traffic in the area. There are often long trains. The county has NO control over the trains. The trains sometimes block the roads.

Chair Favero asks what if there is a problem with the train (wreck etc.) We need to have an egress on the south side for public safety. Western Zirconium plant is also a concern.

Charlie Ewert said that the railroad isolates the area. If you open 1 crossing, you close 2. UDOT has authority over all railroad crossings. If there is a significant increase in traffic, UDOT will do a study (also charge a study fee to developers.) There are private crossings in the area that the public uses. 10000 W sign says Private Crossing. Lots of hunters use the crossing. Can we approve changes that would increase traffic over a railroad crossing? The railroad would not like changes. It would be inconvenient for them. UDOT regulates all roads and railroad crossings. Railroad says that they are not responsible for any changes that increase traffic over the railroad crossings in the area.

Commissioner Wichern states that this development appears to create an island. Charlie responds with the existing development demographics of 30 homes on either side of the road on 2 acre lots on one side and 4500 square foot lots on the other side. Charlie adds that many proposals are coming in for development in the area.

Commissioner Andreotti believes east of this proposal is a good development area for Warren. This development can help produce East-West roads to facilitate other development in the area. There isn't farm land in the area.

Charlie Ewert sees the area as the center of a future village because sewer is closely available. Other businesses are interested in the area and homes will need to be available for workers. This development will allow more septic systems to move to sewer.

Commissioner Wichern said that knowing that utilities are close to the proposed development is key.

MOTION: Commissioner Wichern moves to open the public hearing. Chair Favero seconds. Motion carries (4-0)

Robert Pilarczyk 742 S 7500 W states, having something near the railroad tracks is a safety concern. He is also concerned about the development in rural areas.

MOTION: Commissioner Edwards moves to close the public comment. Commissioner Wichern seconds. Motion carries (4-0)

Commissioner Edwards is concerned about a way to safely evacuate the area.

Commissioner Andreotti sees development in the future. In 20 years, we will need more road access to help the area grow.

Commissioner Wichern said that if we approve the rezoning, can developers sell lots individually? Not part of a subdivision?

Mr. Ewert states the zoning change will die with the proposed development.

Chair Favero says that the land is not good for agriculture and would be better for land development. Railroad tracks make it the unsafe situation it is now. We need an egress area for safety.

The developer said that Weber Sewer is considering using their sewer for development.

MOTION: Commissioner Wichern moved to recommend approval of ZMA 2021-04: A public hearing to consider and take action on a proposed rezone of approximately 122 acres of property located at approximately 1290 S. 7500 W. from the agricultural (A-3) zone to the agricultural (A-2) zone based the following conditions and findings: Conditions: 1. That a mutually agreeable development agreement executed between the applicant and the developer be recorded to the property that provides for the conditions below. 2. That 1400 South is constructed from 7500 West to the eastern boundary of the subject property, for the future extension eastward. 3. That at least a half-width street is dedicated and, in part, constructed, along the southern boundary of the subject property for the future creation and extension of 1800 South eastward and westward back to 7500 West. 4. That 7100 West is constructed from the northern boundary of the subject property to the southern boundary, stubbing into the railroad right-of-way to the north, and stubbing to the property to the south. 5. That an all-weather, 20-foot-wide fire access road is extended from another railroad crossing to the subject property prior to the issuance of the first building permit. 6. That the applicant diligently work with Union Pacific Railroad to construct a crossing at 7100 West, and connect to other improvements on 7100 West north of the railroad. 7. That in the event a railroad crossing cannot be secured at 7100 West before the 30th building permit is issued, the applicant builds a pedestrian bridge over the railroad to connect the north and south extensions of 7100 West. 8. That a 10-foot wide asphalt pathway is constructed on one side of all public streets, with a five-foot wide sidewalk on the other. Findings: 9. The proposal complies with the general plan for the area. 10. The surrounding land uses do not pose a conflict with the proposed rezone, and the new uses of the proposed rezone are anticipated to fit into the area harmoniously. 11. Ensuring adequate street connectivity and emergency egress as the area grows is in the interest of the community's health, safety, and welfare. Commissioner Andreotti Seconds.

Motion carries (3-1)

Commissioner Andreotti voted aye, Commissioner Wichern Voted aye, Chair Favero Voted aye, Commissioner Edwards voted nay.

3. Public Comment for items not on the agenda: there was none

4. Remarks from Planning Commissioner: Commissioner Edwards is concerned about the trail, agricultural land. Trail by farms with chemical use. Safety concerns. Commissioner Andreotti agreed adding irrigation ditch and farm equipment issues as safety concerns for this trail. Commissioner Andreotti was also asking about xeriscape for landscaping for future use. Can we come up with 5-6 options for residents for xeriscape?

5. Planning Director Report: Director Grover said that the commissioners handled public comment very well.

6. Remarks from Legal Counsel: there was none

Meeting Adjourned at 8:00 p.m.

Respectfully submitted,
June Nelson
Lead Office Specialist