

Minutes of the Western Weber County Planning Commission held on November 10, 2015, in the Weber County Commission Chambers, 2380 Washington Blvd., Ogden UT

Members Present: Mark Whaley, Vice Chair, Wayne Andreotti, Lance Greenwell, Roger Heslop, Michael Slater, John Parke
Member Excused: Jannette Borklund
Staff Present: Jim Gentry, Principal Planner; Charles Ewert, Principal Planner; Scott Mendoza, Principal Planner;
Sherri Sillitoe, Secretary

*Pledge of Allegiance

*Roll Call

Chair Borklund was excused.

No Exparte Communication was expressed.

1. Approval of the Minutes of October 13, 2015 Meeting

Vice Chair Whaley declared the October 13, 2015 meeting minutes approved as amended, noting that neither Commissioner Andreotti nor Greenwell were in attendance at the meeting.

2. Administrative Items:

2.1. LVS062415 Consideration and action on a request for preliminary plan approval of Fall Widow Subdivision Phase 2, 120-292 South 7900 West, West Warren – Clifton Bell, Applicant

Ronda Kippen presented a report and indicated that the proposed subdivision Phase 2 includes 7 lots. Fall Widow Subdivision Phase 1 will utilize the existing infrastructure that was installed as part of the Fall Widow Subdivision Phase 1 that was approved and recorded July 9, 2007. Additional infrastructure will be required to be installed for the Fall Widow Subdivision Phase 2 including additional drainage improvements and approximately 13,969.55 square feet of property will be dedicated to Weber County along with the expansion of 7900 West upon recording the final plat.

The proposed subdivision is located in the FEMA Flood Plain Zone "X" which is an area of minimal flood hazard and has been determined by FEMA to be outside of the 500 year flood level. The buildable portion of the site is at or above the elevation of 4,215 feet in elevation. No basements are allowed in this area, and they will be on the Warren-West Warren Improvement District for culinary water.

Ms. Kippen called attention to the block length. The subdivision is at the end of a 4,052 ft. road.

At this point the Planning Division, Fire Marshall and Engineering Division are recommending that there be an access road. There is a substantial amount of things that are recommended to be taken care of before final approval is given. At this point, the County Engineer believes this proposed phase meets the standards for Preliminary Approval.

Staff recommends preliminary plan approval of Fall Widow Subdivision Phase 2, consisting of seven lots. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

- A capacity assessment letter and a construction permit from the Utah State Department of Environmental Quality Division of Drinking Water for the expansion of the water system and water lines serving the subdivision will be part of the final plat submittal.
- The final improvement plans and final plat shall reflect the required stubbed roadways to the adjacent east property (owned by Meibos parcel# 10-037-0021) and west property (owned by Higgs parcel# 10-037-0011) along the northern boundary of the subdivision.
And subject to all other staff and agency requirements.

These conditions are based on the findings that are in the staff report.

Commissioner Heslop asked that if the final plat reflects stub road right of way requirements, does that meet the block length requirements between 900 S and the stub road, or does there need to be additional stubs throughout the area in order to meet that requirement. Commissioner Heslop Ronda Kippen replied that from 900 S. to the beginning of Barbara Flats would be unaccounted and we would not have any stub accesses through there. There is a stub from Barbara Flats. From Barbara Flats to the end of the property it meets the 1300 ft. requirement.

Commissioner Heslop said on the building lot on the north end of the east side of the road, it shows 150 ft. frontage on 7900 S. but if they have to put in a dedicated right of way for a stub road, will that property meet the frontage requirements as far as being able to build on it. Ronda Kippen replied that it does; they consider this as a corner lot which has two frontages. During the development process, we would consider the entire width of lot 6 to be the frontage. The yard that is located next to 7900 S. would be considered a side yard, the rear would be abutting lot 7 and then the other side yard would be abutting Meibos' property so it would not eliminate one of the seven lots.

Cliff Bell, the applicant, gave a history of the issue. He met with the committee in April and there was only one mention of the road, and Jim Gentry indicated that it did not fall within the 1,300 ft., so the requirement was not mentioned. On November 5th, he received an email approving it but indicating that the stub road was required east and west. He expressed his concern that it is not logical to require the stub road. He presented an example of the roads in the area and indicated that he believes due to the moratorium, it is not logical to require the stub roads in that area. He does not believe it makes sense to have a right of way to go that far.

Christopher Crockett asked Mr. Commissioner Bell if he could provide a copy of his presentation documents to them for the record.

Christopher Crockett indicated that it is not a public hearing and the planning commissioners are not required to take public comment.

Eldon Davis, 7090 W 900 S., asked the width of roads going into subdivisions. Ronda Kippen indicated that for collector streets it is 66 ft. and for main arterial roads it is 80 ft. The County Engineers are changing that 66 ft. to a 50 or 60 ft. width. Mr. Davis asked how much of that needs to be paved, and Scott Mendoza indicated that it is either 24 ft. or 26 ft. Mr. Davis indicated that as we develop that the road from 7900 W., the pavement is 20 ft. wide for the first ¼ mile and if you are coming off 7500 W. you cannot make the turn if you have a farm tractor that is 13 or 14 ft. wide or other large piece of equipment because of the width. This issue should be looked at as a County because a school bus could not make the turn coming or going into the development. The road was not designed for development; it is just a farm road. He believes more stub roads are needed.

Commissioner Greenwell asked if there is currently a school bus that goes down that road. Eldon Davis replied yes and that there is a turnaround at the end.

Mike Swann 1600 750 N in Kaysville owns the property north of the proposed subdivision. He questioned whether the road goes all the way and Ronda Kippen indicated that the proposal shows the stub road going to the end of Mr. Swann's property. The proposal is that the turn around that is being proposed on their property and the stub road would also be on their property.

Commissioner Heslop indicated that his concern is the width of the road. There is a drain ditch on the side and it is a sharp drop. That is a concern especially because that is the only road in and out.

Scott Mendoza indicated that the concern is a valid one and they would be willing to take the question to the County Engineering Office. They will also have to check and see if there are any deferrals taken in that area. The deferral is a document that is signed by the original property owner and it states that when development warrants improvement of the road, the County can call in those deferrals and the property owner would be responsible for the cost of those road improvements.

Commissioner Andreotti said in his opinion they should stay with the 1,300 ft. until they change the rules that they operate under. He is not comfortable with changing the width of the road.

Commissioner Slater indicated that he believes the concern for future development if you have too long a road at a narrow width such as with emergency access. He believes maybe they should look to widen the road and look to the future.

Vice Chair Whaley indicated that staff has addressed the issue of the road lengths and with the recommend conditions, staff recommends leaving the block lengths at 1,300 ft.

Vice Chair Whaley called for a motion, but indicated that no motion was brought forward. Chris Crockett indicated that they will have to take some type of action, but they need to base it on findings and give a reason.

Ronda Kippen indicated that in their pre-application meeting on March 09, 2015 she took meeting notes of the things that were discussed such as the property zoning and lot size, culinary water, septic feasibility, block length 1,300 stub streets, 4216 ft. elevation to bring up the road way and drainage easements along the southern lot line. The reason why the stub roads didn't come up during the reviews was because it is a planning commission decision. The code states that where there is not a master plan, it was up to the Planning Commission to consider whether stub roads are needed.

Vice Chair Whaley indicated that in staff's presentation and reviews, it appears that the proposed development meets the requirements.

Commissioner Heslop stated that if they adopted this and the 1,300 block length are they imposing on the property owner to the north the responsibility for the stub roads going in because of the 1281 short of 20 .ft. which from the previous right of way on Barbara Flats Subdivision to the back of the property so it would put the responsibility to the Swan property.

Mrs. Kippen indicated that it is shy of 19 ft. and if they don't get the stub road at this point, it would put the responsibility on the Swan property. Chris Crockett read LUC Section 106 (2) (3) read the maximum block length section in the code.

Vice-Chair Whaley indicated that since no one wanted to take action and Chris Crockett indicated that action is required.

Commissioner Slater clarified the lot dimensions. Ronda Kippen said if he met the 1,300 sq. ft. requirement, they would be half way to the next block length. Commissioner Slater indicated that he would be okay to approve the 1,300 sq. ft. if they address the road width. Mrs. Kippen said that we can go back and look and see if any deferral agreements that went with any of the adjacent properties and if the county deems it necessary at this point, they would call in the deferrals.

MOTION: Commissioner Slater moved to recommend to the County Commission that Preliminary Plan Approval is given to a request for preliminary plan approval of Fall Widow Subdivision Phase 2, 120-292 South 7900 West, West Warren – Clifton Bell, Applicant subject to all staff and agency requirements as presented. Commissioner Parke seconded the motion. A vote was taken and the motion carried with Commissioners Andreotti, Greenwell, Heslop, Slater, Parke, and Vice Chair Whaley voting "aye." Motion Carried (6-0).

3. Public Comment for Items not on the Agenda - None

4. Remarks from Planning Commissioners

5. Planning Director Report - None

6. Remarks from Legal Counsel – None

7. Adjourn

There being no further business, the meeting was adjourned at 5:49 p.m.

Respectfully Submitted,

Sherri Sillitoe, Secretary
Weber County Planning Division