

May 9, 2023 Minutes

Minutes for Western Weber Planning Commission meeting of May 9, 2023, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1 Ogden UT at 5:00 pm.

Members Present: Bren Edwards-Chair; Andrew Favero—Vice Chair, Cami Clontz, Jed McCormick, Casey Neville, Sarah Wichern, Wayne Andreotti

Staff Present: Rick Grover, Director; Charlie Ewert, Principal Planner; Steve Burton, Principal Planner; Bill Cobabe, Planner; Felix Lleverino, Planner; Liam Keogh, Attorney; June Nelson, Secretary

Pledge of Allegiance

1. Minutes: April 11, 2023 **APPROVED**

Petitions, Applications, and Public Hearings:

2. Legislative items:

2.1 ZMA2023-04 - A public hearing for consideration of a requested rezone from A-2 to RE-15 on approximately 76 acres of vacant land. **Planner: Felix Lleverino**

This item is an applicant-driven request to amend the zoning map from A-2 to RE-15 on 76.00 acres. The owner seeks this zoning to allow for residential neighborhoods where the residents can enjoy the agricultural heritage and the rural way of life. Figure 1.1 shows the general site development standards of the RE-15 zone, however, if the rezone is approved, the rezone ordinance will be accompanied by a zoning development agreement that will govern the features unique to this development.

The applicant is requesting that the property is zoned to the RE-15 zone. If the planning commission would prefer that the property is zoned for the new R1-15, they may add a motion that the property be rezoned to the new R1-15 zone code. Three primary differences between the RE-15 and the R1-15 zone are; the minimum yard setbacks, the site development standards, and that the R1 zones are optimized for residential uses.

Section 102-5-2 of the Weber County Code suggests that a rezone should comply with the applicable general plan. The Western Weber General Plan (2022) is the guiding document used in the analysis by the Planning Staff.

The General Plan’s Future Land Use Map shows that this location is planned for medium-density residential development.

Land Use Action 1.2.1 (Page 52)

“In areas planned for medium-sized lots, the County should consider rezoning the property to allow 15,000 square-foot lots.”

Generally, this coincides with the RE-15 zone. A rezone of this nature should only be allowed if smart-growth implementation strategies are volunteered by the developer, as provided in Land Use Principle 1.4. Smart Growth strategies accomplished by the concept plan with added redlines from the planning include roadway layouts that provide for good network connectivity and limit dead-end/cul-de-sac streets (2022, pg. 54), and human-scale street infrastructure with active transportation facilities along all street types (2022, pg. 110, Transportation Principle 6.2)

County Rezoning Procedure

- a. *Whether the proposed amendment is consistent with goals, objectives, and policies of the County’s general plan.*
- b. *Whether the proposed amendment is compatible with the overall character of existing development in the vicinity of the subject property.*
- c. *The extent to which the proposed amendment may adversely affect adjacent property.*
- d. *Whether the proposed rezone can be developed in a manner that will not substantially degrade natural/ecological resources or sensitive lands.*
- e. *Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

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- f. *Whether proposed traffic mitigation plans will prevent transportation corridors from diminishing below an acceptable level of service.*

Commissioner Edwards stated that there was a letter that was sent to the Planning Commission and it would be attached to these minutes for the record. **Chair Edwards called for a motion to open the public hearing: Andrew Favero motioned to open the public hearing. The motion was seconded by Jed McCormick.**

Neal Davis 7212 W 900 S I own property south of this project. I am concerned about ¼ acre lots, sewer and septic. There is a ditch on our property. Am I liable for any accidents that happen there> I have land that I want to split in 6 acre lots for my kids.

Alexie Vigil 664 S 7500 W-Growth will have a significant impact on the community. There is no adequate sewer or roads.

Leslie Judkins 724 S 7500 W I am against this. There is a substandard road that is 1 lane. This is too much traffic for the roads.

Wade Cardon 840 S 7500 W 100 homes and septic will not work.

Calene Ingram 710 S 7500 W Will the planning commission require a rezone of the Marriott property that will be annexed?

Levi Giles 6885 S 7100 W Vaquero Village-phase 1 is a mess. There is no secondary water and we have septic. Will we have to tie into sewer? We are still incomplete. There are no pathways, yards were lost

Eldon Davis 790 W 900 S This should not go forward. There is no agreement signed for sewer or water.

Nate Davis 3448 S 5100 W west Haven, This application is not complete. I understand that they have property rights. We need a transportation study for all the extra traffic. We should also pipe the ditch on the south side.

Doug Hall 7234 W 900 S The road is horrible. My concern is with the speed and number of cars. The County does not have the money to patrol this area. There is only 1 road in and out. It is not safe. The lots are too small.

Brent Davis 7406 W 900 S. There are planned walkways by the canal. Warren water will not let people that close. Green space needs to stay.

Morgan Olsen 683 S 7100 W We were promised green space. There is no green space here. We don't have secondary water. Will we be forced into sewer?

Ann G 900 S My concern is the park. It is overloaded. What is the difference between a green space and a park? The small park is not big enough.

Bill Davis 7598 900 S 7500 needs to be widened to 80 foot road. Will they move the canal? There is no room for an 80 foot road. There is no park. I am also concerned about the sewer. Little Mountain can't expand.

Russell Davis 7380 W 8900 S There is an infrastructure issue. We have a great community. These homes will not integrate into the community.

Motion to close public hearing by Andrew Favero and seconded by Casey Neville.

Chair Edwards states that the density is not ¼, it is 1/3 acre. Sewer is being run to the south side of the track for another development. There is also a grant for Little Mountain to expand its sewer. Septic is not allowed by the Health Department. The planning Commission is also concerned about the incomplete application. Warren West Warren is aware of this development. As for parks, developers offer a fee in lieu or land, depending on what the park district needs. We do need the letters for parks, sewer and water for confirmation or acknowledgement. Commissioner Wichern asked about the letter from the parks. Commissioner Favero stated that sometimes they need land and sometimes they need fee in lieu, depending on what is needed in the area. Director Grover stated that he was concerned that Phase 1 was not complete. Chair Edwards also stated that drainage, development will be needed also retention ponds. We also need a traffic study so we know what is needed for the roads. In the community comments they spoke about growth. It can be good and adaptable. Andrew Favero said that on the Marriott rezone, part will be rezoned. Director Grover stated that the property will be subdivided. Commissioner Wichern stated that those with septic will not have to be tied into sewer until septic fails.

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Pat Burns-1407 N Mountain Road-developer. I have nothing to do with Phase 1. The developer went bankrupt. I lost money. I had purchased some lots from him and was building homes there. There was no electricity. We had to bring in generators to do our work. I bought the rest of the subdivision from the bankrupt developer. During phase 2, I will improve phase 1. We have been working on sewer in 30 different meetings. I had things approved, then, unfortunately Randy Marriott died. I am working on addressing these issues. Secondary Water will be through Mountain View.

Commissioner Wichern said that she was concerned about the significant investment for road improvement and access. Mr Burns stated to make it a non-substandard road it will just need to be 24 feet.

Chair Edwards called for a motion. Sarah Wichern motioned the following:

I move we table action on File #ZMA2023-04, a developer-initiated application to amend the Weber County Zoning Map to rezone a 76-acre parcel located at 640 South 7500 West from the A-2 Zone to RE-15 Zone until they can bring in water, sewer and park letter for our consideration. Also that the applicant can get us more information on traffic impact on 900 S. Motion was seconded by Jed McCormick. Motion passed 7-0.

3. Public Comment for Items not on the Agenda:

Rosaline Davis 900 S-we need help. Maybe a traffic study, a 4 way stop. It is scary. There is a 50 mph speed limit. It is too fast. Commissioner Favero said that there were some 4 way stops. He agrees that something needs to be done. Chair Edwards stated about the UDOT road. We should probably talk to the Commissioners upstairs.

Leslie Judkins 7500 W There are cows, tires, furniture down that road. It really needs to be cleaned up. You will also need employees to support all of this growth.

4. Remarks from Planning Commissioners: Andres Favero and Bren Edwards thanked the public on behalf of the Commission for attending the meeting.

5. Planning Director Report: Director Grover seconded the previous comments.

6. Remarks from Legal Counsel: None

Adjourn 6:40

Respectfully Submitted,
June Nelson
Lead Office Specialist

Approved _____

Longhorn Estates – Key Considerations

Submitted by:
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742 S 7500 W
Ogden, UT 84404

Opening Remarks

From a most basic point of view, this proposed zoning change and resulting development is “too much too fast”. The goal of the updated general plan was to bridge the gap between protecting property rights and preserving the rural community. The general plan vision notes “While the pressure to grow and develop will persist, there is a clear desire for growth to be carefully and deliberately designed in a manner that preserves, complements, and honors the agrarian roots of the community.” There are no substantive details in the proposal that address preservation of the agrarian roots of the community or meet the Smart Growth Principles.

If you ask Reese residents what comes to mind when you mention “smart growth principles”, it’s likely a well-planned, incremental growth that occurs over time. We all understand growth is coming, however, a proposed development like this will have a significant impact on a very small community. For context, there are currently ~200 residential homes in Reese. This single development would increase the homes in Reese by nearly 50%. Changes of that magnitude all at once will have profound impacts on the culture of the community and the infrastructure to support it. Compound this with the new Promontory Point Industrial Park and other developments south on 7500 W and the community landscape will be significantly changed in just a few short years. This doesn’t seem like Smart Growth Principles.

General Plan Considerations

Several key aspects in the new general plan are critical when consideration of this proposal, including infrastructure considerations, Smart Growth Principles, and community benefit requirements. The following information details those considerations from the general plan:

- 1) Infrastructure Considerations
 - a. Sewer
 - i. For RE-15 rezoning requirements, the Land Use Principle 1.2 states “Areas planned for medium-sized residential lots should be the areas that have access to sewer services or, with the installation of sewer infrastructure at the sole expense of the developer, can be given access to sewer services”. Currently, there is no sewer services available in Reese. Also, recent feedback has indicated the retention ponds at Little Mountain are at full capacity and declined to support any developments in the area. Given these details, the area cannot currently support medium-sized residential lots.
 - b. Transportation
 - i. Currently, 7500 W is identified as a minor collector street to support the subdivision, however, it is a substandard road with only a 38’ right-of-way between the proposed development and 900 S. The general plan requirement for this type of street is 80’. The road is a single lane with a 15’ roadway and a drainage ditch on the east side of the roadway to support agriculture drainage. The west side of the right-of-way is the edge of a major irrigation canal. Given these details, the roadway cannot support the proposed traffic resulting from this rezone and subsequent development. Note that the road currently has five homes north of 900 S. This develop would increase the traffic by 10-20x.
- 2) Smart Growth Principles
 - a. The application proposes to meet Smart Growth Principles, however, there are no substantive details in the proposal that address these requirements. In particular, how is the development addressing the following requirements:
 - i. How is this development embracing agricultural heritage or maintaining community character?
 - ii. How is this development fostering close neighborhoods?

- iii. The submitted documents allude to “ongoing conversations are taking place with local agricultural producers to determine best places to produce agriculture”. What actionable items are occurring in this regard that would benefit the community?

Other Key Considerations

1) Scope of Proposal & Adjacent Property

- a. The provided concept plan includes development on both the property owned by the applicant (Lync Construction) as well as the adjacent property owned by Western Basin Land and Livestock. What documentation has been provided detailing a commitment from Western Basin Land and Livestock to support the development and/or egress roads? Should a commitment letter to provide egress or an accompanying rezone application from the adjacent property owner be a contingency for approval of this rezone request?
- b. It should be noted the adjacent property is likely included due to the egress requirements for a secondary exit allowing the applicant to develop a larger number of lots. Without this secondary exit, the limit for a cul-de-sac with only a single entrance would be much lower, which is consistent with Vaquero Village Phase II subdivision application last year.