

**West Bountiful City  
Planning Commission**

**August 23, 2011**

**Posting of Agenda** -The agenda for this meeting was posted on the State of Utah and City of West Bountiful Web-Site and sent to Clipper Publishing Company on August 19, 2011 per state statutory requirement.

**Minutes of the Planning and Zoning Commission of West Bountiful City held on Tuesday, August 23, 2011, at West Bountiful City Hall, Davis County, Utah.**

**Those in Attendance:**

**MEMBERS PRESENT:** Chairman James Ahlstrom; Denis Hopkinson, Terry Turner, Tori Boggess; Commissioners, and Alan Malan (Alternate) Commissioner.

**MEMBERS/STAFF EXCUSED:** Craig Howe; City Administrator, Steve Schmidt.

**STAFF PRESENT:** Ben White; City Engineer, Heidi Voordeckers (City Recorder), Bev Haslam, Kathy Brightwell and Debbie McKean (Secretary).

**VISITORS:** Lynn Keddington, Gary and Rachel Ellison, Roger Heniksen, Savannah Turner, Halle Turner, Val Shaw; City Council member.

The Planning and Zoning Meeting was called to order at 7:30 p.m. by Chairman Ahlstrom. Alan Malan offered a thought.

**Accept Agenda**

Chairman Ahlstrom reviewed the agenda as posted. Tori Boggess moved to accept the agenda as posted. Terry Turner seconded the motion. Voting was unanimous in favor with those members present.

**Business Discussed:**

**Consider approval of Conditional Use Permit for Ellison's Auto Body and Custom Paint (1009 West 500 South).**

Heidi Voordeckers addressed the commission regarding an application submitted by Gary Ellison for an Auto Body/Custom Paint shop located at 1009 West 500 South. She noted that a paint booth that is currently permitted at this business site as of September 2010 with conditions. The current business is no longer existing and Ellison's want to come in and take over. Mrs. Voordeckers included a memorandum in the commissioner's packet recommending 4 conditions that should be put into place in order to accept the conditional use permit.

Gary Ellison residing at 1950 South 747 West Woods Cross, UT addressed the commission regarding a conditional use permit for auto body/custom paint. He stated that there would be two business' using the paint booth. Chairman Ahlstrom stated the conditions to Mr. Ellison and asked Mr. Ellison if he had any problems meeting those conditions. Mr. Ellison stated that he had no problem with them.

Denis Hopkinson noted that city and state licenses need to be in place before starting business and Heidi responded that she has both business and state licenses. Mr. Hopkinson also noted that the paint booth is the only one in the city and there are environmental issues concerning its use.

He asked Mr. Ellison what conditions he plans to put in place regarding protection of the environment. Mr. Ellison responded that there is fire suppression equipment in place and he will be changing out filters on a regular monthly basis.

#### **ACTION TAKEN:**

**Denis Hopkinson moved to approve the conditional use permit for Ellison's Auto Body/Custom Paint at located at 1009 West 500 South and that the commission found the business meets the condition requirements under 17.60.040 and that the following conditions be met before business can begin: proof of insurance, existing screening/fencing remain intact, no salvage repair on-site, and all work needs to be done in the building. Tori Boggess seconded the motion and voting was unanimous in favor.**

#### **Review of proposed Commercial Highway (C-H) Zone**

Ben White noted that following the work session regarding the C-H Zone, he met with Holly to discuss the desires and concerns that the commission discussed. In meeting with Holly, they discussed the city's desires for the C-H Zone and to allow both professional offices and industrial offices. A draft was included in the commissioner's packet which suggested both uses and non-uses for the C-H Zone with landscaping requirements. Mr. White particularly likes the suggested 25 % landscaping requirements for the front yard setback.

Some discussion took place among the commission:

- Chairman Ahlstrom inquired how the suggested list of uses compare to the current zone. Criteria was considered because of the location and type of business' currently there. It was mentioned that the current business of the Seven Eleven will be a non-conforming use if the suggested change are made. Mr. White will make the necessary adjustments so that is not the case.
- Alan Malan made a suggested under Permitted Uses- F. Public and Quasi Public institutions. He noted that public school would be permitted. Ben White will make nessesary changes for that line. Mr. Malan also noted that on Page 2- Motor Vehicle sales and service need to have outdoor storage. It was suggested that parenthesis be include and to strike the "and". Regarding Page 4- Height regulations need to be reduced from 100 Feet.
- Tori Boggess- suggested that "warehousing" is allowed as a conditional use needs to be covered in both places. On Page 2 she suggested to put more specification.
- Terry Turner was in agreement with the proposed document.
- Denis Hopkinson questioned what other business under conditional uses and what are missing. Ben was not aware of any. Mr. White asked for help from Roger Henriksen He stated that this language is used throughout all the ordinances. Other business not included can come before the Commission for permission and meet conditions that they desire to put in place.
- Roger Henriksen address the 60 foot/100 foot issue. He informed the commission that this zone is not a Holly proposal. He noted Holly's desire to build an office/warehouse and they want to know the city's requirement for an office/warehouse setting. They are supportive of the cities efforts. Mr. Henrikson informed the commission that an analyses was done and he presented a drawing for the commissions review. Mr. Henriksen noted that he thinks that this building would be permitted in this zoning. Parking and other things would also be permitted to their understanding within their ideals for this zoning. As the city adjusts their plans, Holly will do so as well in order to conform to the zoning ordinance that will be put into place.
- Henriksen showed a second sketch that was a warehouse that will be located in the back of the office facility. He noted that they were trying to have the activity behind the office area. He stated that all plans fall within regulations of the ordinance as proposed. Holly's intent is to create an environment that is conducive to what the city desires. He felt that Holly would submit an application to build as soon as the zoning was in place and their desire is to break ground in September.

- Val Shaw wanted to know why it is such an urgent matter now, when the plans have been introduced almost a year ago. Ben White noted that they worked with UDOT and then there was a short period of time that it was at rest. It was also noted by Chairman Ahlstrom that the commission has spend several months and Chairman Ahlstrom working to get a quality proposal to present to the City Council. Mr. Henriksen noted that they are not trying to rush things. Lynn Keddington noted that there were extensive requirement such as traffic studies, etc. and are still waiting final approval from DOT.

Mr. Ahlstrom recounted what he felt was the desire of Holly to cooperate with whatever the city would put into place regarding zoning. He noted that a public hearing needs to be set. Mr. Hopkinson would like to see dimensions of the plans in order to see how it fits within this zone. Mr. White stated that the city council make that determination, it is not a Planning Commission issue. He noted that rezones are a City Council function and that recommendation are made by the Planning Commission. Denis Hopkinson stated that the what the commission passes on to the council in their recommendations, should include an outline. Mr. Ahlstrom felt that was a part of the Land Use LUDMA requirement for the responsibilities of the planning commission. Mr. Henriksen suggested to speak to Steve Doxey on the specifics of responsibilities of both bodies.

Mr. Hopkinson inquired about the direction the buildings will face. In answer to Mr. Hopkinson question of the direction the buildings will face he noted that the warehouse front will face North and the office building front will face west. Warehouse will be to the east of the office building and set back further. There will be no roads. More detailed proposals will be brought forth in the near future.

Planning Commission desired to set the public hearing for the September 13<sup>th</sup> meeting at 7:35 or as soon thereafter as time permits, for input from the public on the footprint of the C-H Zone. It was desired by the commission that the suggestions for rezoning be discussed by the public first and then the footprint of Holly be introduced after. Mr. Hopkinson would like the public and commission to see the impact to the area with the proposed Holly plans for office/warehouse structure.

Heidi Voordeckers noted that there would be two public hearings held, one would be a public hearing to adopt the new ordinance and one to discuss the proposed changes to the ordinance. Mr. Ahlstrom suggested to review the LUDMA requirements and do what is needed to meet those requirements. Mr. Hopkinson would like the proposed map of the C-H Zone sent out via email to be reviewed and if they feel comfortable with the proposal then they can move forward.

Mr. Ahlstrom reminded the commission that he had a conflict of interest because he works for the law firm that represents Holly Corporation. He will recues himself from any voting on this issue.

### **Discussion on Sign Ordinance**

It was agreed that the most important area to put regulations on signs is in the Commons area. Ben White noted that the sign ordinance was reorganized and is much easier to read. Definitions were added such as "temporary sign". The ordinance was streamlined. The setback was not determined for the commercial zone and Mr. White feels there should be one in place. He would like direction on a setback before forwarding it to City Council for their review.

The suggestion was to have a 12 foot setback from the property line. Signage would be prohibited in the right of way area. Mr. White suggested some provisions be made for a temporary sign. Mr. Hopkinson did not have a problem with things that did not obstruct views and feels that the business should be able to use that area if there is not obstruction of view. He noted that these business' benefits our city. Things that are bothersome in his opinion are signs like are currently located in the 400 north area.

After some discussion it was determined to move the setback to three (3) feet from the property line of the business (building side of the walkway). This will enable the signs to be clear of the sidewalk. It was noted that 3 feet is a reasonable setback for the business to be able to advertise and not be intrusive.

Commission directed the staff to set a public hearing for the near future.

## Staff Report

- Mr. White addressed some property east of 7/11 on 500 South. Owner owns both property in West Bountiful and Woods Cross, this property is currently a non-conforming use. A purchaser would like to keep the property as is but is requesting a small concrete business be able to part of this property. It poses a problem because of the division of property located in both Woods Cross and West Bountiful. Mr. White inquired if the commission had a problem putting a business on the West Bountiful side of the property that is currently residential property. Mr. Ahlstrom thought there is a provision in our ordinance for expansion of a non-conforming use based on some findings. Mr. Ahlstrom suggested that mechanism be used to present this issue to the planning commission.
- Possibility of some new small subdivisions being presented in the near future.
- Heidi Voordeckers invited all to come to Meet Your Candidate Night next Tuesday at 7:00 p.m.
- Lost two police officers in the past two months. We are looking to hire two new officers. The Water Master has left and we need to hire a new water master. Stu Davis passed away a few weeks ago. Golf Pro at North Salt Lake is working part-time to help with the loss of Stu and the transition of Paul's retirement.
- Ben informed the commission of some of the details of the rollover of the Oil Tanker in our city on Monday Evening. Gasoline was contained quickly and did not reach the A-1 canal. It was an all night clean up.
- Ben reported that Pages Lane will be closed until late November. The Frontage Road is still about 6 weeks from being opened.
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## Approval of Minutes dated July 26, 2011

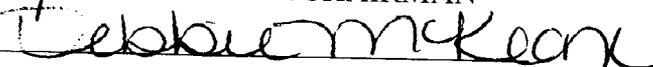
Denis Hopkinson moved to approve the minutes dated July 26, 2011 as corrected. Terry Turner seconded the motion voting was unanimous in favor.

## Adjournment

Alan Malan moved to adjourn the regular session of the Planning Commission meeting. Denis Hopkinson seconded the motion. Voting was unanimous in favor. The meeting adjourned at 9:05 p.m.

  
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 JAMES AHLSTROM /CHAIRMAN

  
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 HEIDI VOORDECKERS/CITY RECORDER

  
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 DEBBIE MCKEAN /SECRETARY

