

**West Bountiful City  
Planning Commission**

**August 28, 2012**

**Posting of Agenda** -The agenda for this meeting was posted on the State of Utah Public Notice website and the West Bountiful City website, and sent to Clipper Publishing Company on August 24, 2012 per state statutory requirement.

**Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, August 28, 2012, at West Bountiful City Hall, Davis County, Utah.**

**Those in Attendance:**

**MEMBERS PRESENT:** Chairman Denis Hopkinson, Vice Chairman Terry Turner, Mike Cottle, Alan Malan, and Steve Schmidt, Planning Commissioners and Laura Charchenko Alternate Commissioner.

**MEMBERS/STAFF EXCUSED:**

**STAFF PRESENT:** Ben White (City Engineer), Cathy Brightwell (Deputy Recorder) and Debbie McKean (Secretary).

**VISITORS:** John Phillips, Morse Smith, Tim Een, Austin Hansen, David Hansen.

The Planning Commission Meeting was called to order at 7:30 p.m. by Chairman Denis Hopkinson. Mike Cottle offered a prayer.

**I. Accept Agenda**

Chairman Hopkinson reviewed the agenda. Alan Malan moved to accept the agenda as posted. Terry Turner seconded the motion. Voting was unanimous in favor.

**Business Discussed:**

**II. Consider Conditional Use Permit for Liberty Auto – 519 North 500 West**

Included in the Commissioner's packets was a memorandum from Cathy Brightwell dated August 23, 2012 in regards to a request for a conditional use permit for Liberty Auto. David Hansen desires to open a car dealership and perform light automotive work on customer's cars. Business will be located at 519 North 500 West in West Bountiful. Also included in the packet was the application from Mr. Hansen along with a site plan.

Owner David Hansen of Liberty Auto took the stand as invited to do so by Chairman Hopkinson. Mr. Hopkinson informed the commissioners of the location of the property being discussed. Previous owner passed away. There are five doors to the building and six bays.

Chairman Hopkinson addressed his concerns regarding the storage of repair vehicles outside. He explained that they have restricted all these types of business from doing so, so that the image of that area attracts other businesses.

Chairman Hopkinson reviewed the site plan with the commissioners. Mr. Hansen informed them that the vehicles for repair will be in the shop and some of those can be parked in the area behind the business. He noted that they will only be doing repairs on customer's cars and does not plan on doing auto body work or painting.

Mr. Schmidt did not see a problem with cars that are not wrecked or unsightly in appearance. Mr. Hansen noted that they were going to make cosmetic improvements to the business site as they desired a good image.

Mr. Turner's only concern was having unsightly vehicles on the lot. Mr. Hansen commented that unsightly vehicles do not sell.

Mr. Cottle asked how many vehicles he planned on having on the lot at one time. Mr. Hansen answered between 15 and 20 vehicles at a time.

**ACTION TAKEN:**

**Terry Turner moved to approve the Conditional Use Permit for Liberty Auto/David Hansen at 519 North 500 West as it meets the requirements set forth in 17.60.040 (Conditional Use) citing # 1, 3, 4, & 6 for a conditional use permit in the CG Zone with the following conditions: a parking site plan including traffic flow for safe ingress/egress, a dealer's license, proof of insurance, fire inspection approval, obtain a building permit for signs, and that no outdoor storage be allowed. Alan Malan seconded the motion.**

**Roll Call Vote:**

**Alan Malan- Aye**

**Denis Hopkinson- Aye**

**Steve Schmidt- Aye**

**Terry Turner- Aye**

**Mike Cottle- Aye**

**III. Consider Conditional Use Permit for Force Automotive at 438 South 1100 West**

Included in the Commissioner's packets was a memorandum dated July 20, 2012 from Cathy Brightwell regarding Force Automotive and their request for a conditional use permit from Timothy Een, for an auto service and repair shop at 438 South 1100 West. Also included was the application for the permit, business license application, fire/safety inspection and a site plan with parking stalls assigned.

Mr. Een desires to have an auto service/repair shop at 438 South 1100 West. He desires to work on one vehicle at a time as he has only one service bay.

Chairman Hopkinson invited Mr. Een to come forward to address the Commission in regards to his request for a Conditional Use Permit. Mr. Hopkinson reviewed the conditions presented. Mr. Een noted that he would be doing generalized maintenance on vehicles.

Commissioner Charchenko verified the location of the building and inquired about outdoor storage which the applicant stated there would be none.

Cathy Brightwell noted an issue with the fire inspection, but Mr. Een stated that it has been resolved.

**ACTION TAKEN:**

**Alan Malan moved to approve Conditional Use Permit for Timothy Een/Force Automotives because it met the conditions set forth in Section 17.60.040 (Conditional Use) # 1, 2, 3, 5, 7 for a conditional use permit in the CH zone with the following conditions, a parking site plan showing traffic flow for safe ingress/egress, proof of insurance, fire inspection approval, obtain building permit for signs and that no outdoor storage be allowed on the premises. Steve Schmidt seconded the motion.**

**Roll Call Vote:**

**Denis Hopkinson- Aye**

**Alan Malan- Aye**

**Steve Schmidt- Aye**

**Terry Turner- Aye**

**Mike Cottle- Aye**

#### **IV. Concept approval for possible subdivision on Frank Chase's property at approximately 1000 West and Pages Lane**

Planning Commissioner Mike Cottle recused himself from this agenda item as he stands to have financial gain from the sale of this property.

Included in the commissioner's packet was a Concept Plan from Mike Cottle for The Ranches at Lakeside.

John Phillips/Phillips Homes was invited to take the stand. Ben White introduced the layout of the proposed concept plan of the property. He noted the concern about having an understanding between the city and the developer for the road (1490 North) that was ended a cul-de-sac in Pages Meadows subdivision. Chairman Hopkinson expressed his excitement about having this area developed noting it had been a long time coming. He described the cul-de-sac situation and the necessity to come to an agreement on who would be responsible for fixing the problem. He noted that residents abutting that cul-de-sac own that area. He asked John what he thought would be a good solution. Duncan's and Larsen's have put a lot of landscaping in that area and Mr. Hopkinson wondered if they would want to have that area torn up. Mr. Phillips felt that it was sort of a Hornet's Nest and noted that it would be hard to blend landscaping to match what is already there. He desires to leave it as is. He is willing to coordinate any efforts in making things work out, but feels that it would not be fair to place that burden on his development. Mrs. Charchenko felt that it would not be bad to leave it as is. She suggested talking to Duncan's and Larsen's. The concern was that the sidewalk cannot go through. Chairman Hopkinson noted that we cannot continue to leave these plans undone. Mr. Hopkinson asked Staff to have a conversation with the two homeowners. After that he wanted the homeowners to meet with the developer, Ben White, Craig and himself to see what they desire and then put a quasi plan in place to be approved before going to City Council. John Phillips inherited this design and noted that he has not yet fine tuned this plan. The Concept plan was reviewed by the Chairman and Commissioners.

#### **Questions from the Commissioners:**

- Terry Turner inquired about possibilities other than tearing out the road. Mr. White answered in the affirmative to his ideas with some potential issues of snow plowing and road repairs in the future.
- Steve Schmidt inquired who owns the property being sold and was told it was Frank Chase. John Phillips is the developer and Mike Cottle is the realtor representing Frank Chase and helping Mr. Phillips sell the individual lots. The land will be bonded to do the land improvements and sell the property to third party buyers. All improvements will be in before individuals can buy the property to build on. The cul-de-sac problem will be dealt with prior to the sale of property to individuals. If there is cost to bear to fix the existing problem they will be dealt with beforehand.
- Chairman Hopkinson explained the process that takes place in developing this area and the steps that are necessary to complete the development. He noted that some things are between the city and developer and some things can be required by the developer for the land owners when they purchase the property.
- Mr. Hopkinson expressed the importance of working out the cul-de-sac. He suggested the developer put a pencil to the cost of the different scenarios that could be worked out so that discussion can be had and decisions can be made.
- Mr. Malan pointed out his concerns regarding the cul-de-sac. He did not think a cross walk would work out.
- It was noted that concept and preliminary approval can be done together.
- Mr. Phillips wants the city to take responsibility of the cul-de-sac issue.

#### **ACTION TAKEN:**

**Alan Malan moved to approve conceptual plans for the Ranches at Lakeside with the condition that the cul-de-sac needs to be worked out before final approval is granted. Terry Turner seconded the motion.**

**ROLL CALL VOTE:****Alan Malan- aye****Steve Schmidt- aye****Terry Turner- aye****Denis Hopkinson- aye**

**NOTE: Mr. Hopkinson gave Ben White the task of putting a meeting together regarding the cul-de-sac.**

**V. Consider updates to Planning Commission Policies**

Included in the Commissioner's packets was a redlined copy of the suggestions given by the Planning Commissioners in regards to the Planning Commission Bylaws from the draft received at the last meeting.

Cathy Brightwell noted the changes she had made that were requested by the commission to be made. Chairman Hopkinson invited comments from the commissioners.

**Commissioner's Comments:**

Alan Malan - sentence under A. 1- scratch "specific"

Laura Charchenko felt there were too many "and". Cathy Brightwell noted that Steve Doxey put the "and" back in there. It was decided to remove the "and" after meetings.

Chairman Hopkinson didn't think the last sentence in A3, page 1 was necessary - delete the last sentence.

Alan Malan did not feel there was enough detail in A.8 to cover various situations. It was determined after some discussion to leave the language as is and add a "1.a."- recusal is mandatory if there is financial gain.

Page 2 strike B. - Order and Decorum – Public Participation

Page 3 strike C. - Consideration of Agenda Items.

Page 4, #5 - remove language "table an item"

Page 4, F.1.- add "Robert's Rules" in place of "standing rules"

All other proposed changes were accepted.

Chairman Hopkinson asked staff to make the changes and give the commission the final draft before sending to City Council.

**ACTION ITEM:**

**Mike Cottle moved to have staff make applicable changes and have final draft prepared for the next scheduled meeting. Alan Malan seconded the motion and voting was unanimous in favor.**

**VI. Staff Report**

- Tuesday, September 4th at 7:00 p.m. before City Council meeting- Open Meeting training. Plan to attend. Not required but encouraged.

- Sept 12-14<sup>th</sup>- ULCT- Training- Any interested in attending the Planning Training should let Cathy know so she can get them registered. Wednesday, September 12<sup>th</sup>, 2012 afternoon 2:00 p.m.-4:00 p.m. Cathy will send out the prior email she sent out.
- Ben White reported that the developers of the Equestrian Center continue to keep in touch with their plans. Two major issues are how to get in and out of the development. Mr. Hopkinson wanted two things addressed, trails and the access issues.
- Farm Animal Ordinance was discussed in a Public Hearing. City Council will discuss the information received in an upcoming City Council meeting.

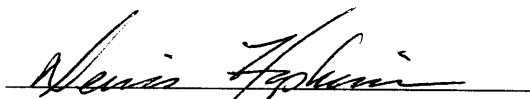
## VII. Approval of Minutes of July 26, 2012.

### ACTION TAKEN:

Steve Schmidt moved to approve of the minutes dated July 10, 2012 with one change. Terry Turner seconded the motion and voting was unanimous in favor.

## VI. Adjournment

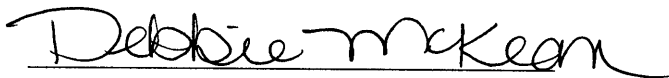
Alan Malan moved to adjourn the regular session of the Planning Commission meeting. Steve Schmidt seconded the motion. Voting was unanimous in favor. The meeting adjourned at 9:23 p.m.



DENIS HOPKINSON-CHAIRMAN



HEIDI VOORDECKERS/CITY RECORDER



DEBBIE MCKEAN /SECRETARY

