

**West Bountiful City  
Planning Commission**

**November 27, 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 November 21, 2012 per state statutory requirement.

**Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, November 27, 2012, at West Bountiful City Hall, Davis County, Utah.**

**Those in Attendance:**

**MEMBERS PRESENT:** Chairman Denis Hopkinson, Vice Chairman Terry Turner (arrived at 7:45 p.m.) Mike Cottle (arrived at 7:55 p.m.), Alan Malan, and Laura Charchenko/Alternate.

**MEMBERS/STAFF EXCUSED:** Steve Schmidt

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

**VISITORS:** Walter Plumb, Paul Watson, Gary Jacketta, Skyler Archibald, Steve Harder, Paul Watson, Justin and Brandi Robinson, Kim Robinson, Taunya Brewer, Bill Yeager, Denise Montgomery, Valerie Breeding, Daniel Davis, Lynn Paget, Jay Jenkins, Scott Argyle, Cydni Harding, Niel Harding, Mike Hazelwood, Bryce Allen, Brent Hagloch, Jed Christensen, Floyd Meads, Sparky Tayler, Raymond P, Kevin Arbuckle, Scott Evans, Clint Shaw, Kim Poulton, K.M. Neuschwander.

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

**I. Accept Agenda**

Chairman Hopkinson reviewed the agenda. Laura Charchenko moved to accept the agenda as posted. Alan Malan seconded the motion. Voting was unanimous in favor of members present.

**Business Discussed:**

**II. Public Hearing on Subdivision proposal for Mistletoe Farms (American Cowboy Equestrian Center) at the end of 400 North.**

**ACTION TAKEN:**

**Laura Charchenko moved to open the Public Hearing for Mistletoe Farms at 7:35 p.m. Alan Malan seconded the motion and voting was unanimous among those members present.**

**Introduction:**

**Denis Hopkinson called Walter Plumb to the stand (accompanied by Paul Watson) and asked Mr. Plumb to answer the following questions received in an email from Sarah Ellington ([sarah.ellington@hyland.com](mailto:sarah.ellington@hyland.com) 801-628-1159 mobile) who was unable to attend the hearing. Answers appear in italic and were given by Walter Plumb/developer of the property.**

- Will the existing equestrian facilities (2 indoor arenas, 1 outdoor arena) be incorporated into the new development? *Not certain, but feels that the current owners would like that.*
- Will these facilities still be available to outside riders and boarders not living in the development? *Yes, at present but it is in debate at this time*
- Will all of the 32 lots be zoned for horses? *yes*
- Are cost estimates available for the proposed lots? *unanswered*
- What is the estimated time frame before the sale of the lots and subsequent development will commence? *Unknown, will be Market driven and depends on the process/approvals*
- Is there a plan to reduce the mosquito population in the area, especially along the canal? *Had not been thought about yet.*

Answers to the questions that Mr. Hopkinson asked are in italics and were answered by the developer Walter Plumb.

Ben White was called to address the public and review the memorandum that was written to the Commission.

#### **Public Comment:**

- **Lynn Paget:** What is going to be done with the 400 North Road? Currently can't get two vehicles through at the same time. He feels the road needs to be fixed before any development is done.
- **Bryce Allen:** Will there be sidewalks? Mr. Watson answered that there are not any plans currently with sidewalks, but proposing a bridal type path. Mr. Allen would like that addressed in the planning. Sidewalks are better than the bridle paths in Jessi's Meadows. Is this a PUD? No answered Mr. Hopkinson, they will be individual lots. Would it make sense to have an additional outlet onto 1200 North? Concerned about congestion on 400 North and through Jessi's Meadow. Whatever happened to plans to put a park in?
- **Scott Evans:** He lives on Jessi's Meadow Way and is concerned with the increase of traffic. He feels that construction traffic will deteriorate roads and leave garbage even more than the truck traffic to the City yard. The concept of having an entrance off 1200 North makes more sense to him.
- **Gary Jacketta:** Regarding the City construction yard, has the property been purchased from the City? No, answered Chairman Hopkinson. Where will the money from the sale of the property go and where will the City yard be moved? What will be done to drain the land? Will the perimeter be fenced and how will cattle be contained that already exist there? Currently barb-wire fence keeps cattle in.
- **Scott Argyle representing Nord Investment:** 400 North stub is not improved all the way down to the north property. Need to have a second access or property will be devalued greatly – it will be a cul-de-sac that exceeds the City's length limits. Would like a second access where big drainage swell comes down.
- **Niel Harding:** Reiterated some of the same concerns. Top issues are safety, value and direction of our city. 400 North west of 1100 West needs to be fixed before adding 34 more families. Safety is a big concern when our children don't have sidewalks and walkways. In favor of the growth, but need to have safety in place. Need to get rid of the public works area in Jessi's Meadow area for the safety of our area. Need to have the 1200 North access for safety. Streets are being destroyed from all the heavy trucks and traffic to the public works area. Make the area nice with the building and construction of trails to Legacy Trail. Add to the quality of life and appearance of our community. Maybe add some infrastructure for cable services that would also benefit Jessi's Meadows resident.
- **Bryce Allen:** Asked about the property to the North of Jesse Meadow and the proposed park that was supposed to be developed there.
- **Floyd Meads:** Will there be enough Weber Water?

- **Ray Lawrence:** Traffic will come down 400 North and go where? He does not want traffic coming through the subdivision. Need to find another way in and out.
- **Dan Davis:** Appreciates that the density is lower than previous plans but still concerned about the traffic and the design of the road to accommodate the additional traffic. 1200 North would be a better option.
- **Valerie Breeding:** What will be on Lots 31 and 32? Will the house be removed off Lot 31? Will Lot 32 be a building lot or remain part of the American Cowboy?
- **Cindi Harding:** How does the process work? On Jessi's Meadow Drive there are more than 21 children under the age of 14 that play in that area on streets and yards (ride bikes, etc.). Is concerned because there are a lot of trucks going down the street to the City yard, usually too fast, let alone the additional traffic from another subdivision. Lowers the value and interest in Jessi's Meadows.
- **Denise Montgomery:** There was a master plan for a second exit in Jessi's Meadows which is already stubbed. What happened to those plans? There will be an exit at some point in time.
- **Niel Hardy:** What about the road over to 1200 North? They could use the Public Works area to exit out of Jesse's Meadows. *Mr. Hopkinson stated that he feels the Public Works yard will be relocated at some point.*
- **Kent Neuschwander:** With 4<sup>th</sup> North being the main access to the development, when will 400 north be rebuilt to handle the additional traffic? He is in favor of access to 1200 North but feels that it would need rebuilt as well and who will pay for the improvement? On the east side of the development there is a drainage problem and it needs to be addressed.

#### **ACTION TAKEN:**

**Alan Malan moved to close the public hearing at 8:10 p.m. Terry Turner seconded the motion and voting was unanimous in favor.**

#### **Mr. Hopkinson addressed the following concerns of the Public:**

- Access is an issue. Traffic is inevitable. The two stubs in Jessi's Meadow will eventually have traffic, that's why they were built.
- Regarding the process, the Planning and Zoning Commission has heard the public concerns (along with the developer) and will attempt to work through the issues. Plumb holding will continue to come before the Planning Commission to mitigate issues of traffic, water, and infrastructure and will work with staff and the Commission to get approval. City Council is forwarded the plans for final approval and/or fine tuning after the Planning Commission gives their approval.
- Mr. Hopkinson pointed out the site plans and addressed the water drainage issue. Plans for drainage are being addressed by engineering staff, Plumbs, etc. Everyone knows that the water has to move and will do so toward the west. The County will be involved.
- Do not know the answer to Weber Water. Mr. Plumb answered that they do have Weber Water Rights.
- Regarding Lot 31 and 32? Mr. Plumb described the subdivisions that he has completed around here and in Park City. He builds upscale communities – some of the best in the state. The log cabin does not fit with the planned designs. Wants to increase property value for his project and surrounding areas. He does not borrow money -uses cash only to develop and may sit awhile before moving forward if details can't be worked out. 400 North is an issue at present and he does not know the plans for improvements. Neighbors need to work together to reach an agreement on access and road issues. In regards to access into Jessi's Meadows, they intend to enhance the area and continue with the nice area it is now. Thirty two houses will not make a significant difference in traffic to the neighborhood. He will have nice large lots with spacious lawns, lots of vegetation and trees with Weber water to property. Usually includes nice water features. They try to do a nice development with minimal density on 55 acres and 32 developable lots.
- Mr. Hopkinson addressed the concerns about 400 North. He noted that there are still infrastructure needs and lots of discussions about where the money will come from and what can take place to finish off what has been started this year on 400 North. The Planning Commission and City Council will continue to address these issues. Our tax base is small and challenging to meet all the demands and needs that a community our size has.

- Craig Howe explained that the work done this past summer was possible because of UDOT funding; 2.5 million dollars were expended on the road from 800 West down to 1100 West. As a City, we do not have that kind of money and will need to work through the issues at hand.
- Property to the south needs to be discussed.
- Alan Malan wanted Ben to clarify if they would be public roads. Ben answered to the affirmative.
- It is not determined where the Public Works yard will be located or where the funds will come from if a move is necessary.
- Fencing is an easy solution to keeping cattle in.
- Regarding access to 1200 North, Mr. Hopkinson noted that property owner's rights come first within the ordinances that West Bountiful has in place. There are also possible wetland issues to consider.

### **III. Discussion of preliminary plat proposal for Mistletoe Farms subdivision (Equestrian Center)**

Commissioner packets included site development construction plans for Mistletoe Subdivision and a memorandum from Ben White/Cathy Brightwell dated November 9, 2012/November 27, 2012 with the following information:

- Plumb Holdings, LLC is proposing a 32 lot subdivision where American Cowboy is currently located.
- Property is in the B-U zone which carries 1 acre residential zoning requirements.
- All properties in the layout include at least 1 acre.
- Planning Commission reviewed the concept plan for this development in June of this year.
- General design of the subdivision could meet the City's design standards with a few significant items to be resolved by the developer:
  1. Access at 400 North does not align with the existing road. Additional property from the Diument property is required to construct a functional roadway.
  2. 400 North road extension is not proposed to be built to the western property line. An agreement with the City for this would be required before final approval.
  3. The road crossing over Mill Creek will require a Davis County Flood Control Permit and possibly a Utah Stream Alterations Permit.
  4. Access at the north end of the development extends through ground owned by the City. Compensation, if any, required by the City needs to be resolved with the City Council.
  5. Cul-de-sac "bubble" design does not seem to serve a useful purpose. It is staff's opinion that it be deleted.
  6. Are wetlands on this site an issue? Should a wetlands study be conducted?
  7. What is the trail made of; who can use it; who will maintain it?
  8. The storm drain ditch extending west from the site crosses ground which will require an easement. This ditch is flat and will not properly drain. Who will maintain the ditch?
  9. Lot 10 does not appear to have any street access.
  10. Any water rights on the property and quantity of Weber Basin water need to be identified.

The memorandum included two attachments, 1. A site plan, and 2. A possible development pattern aerial view.

Discussion among the Commission regarding Mistletoe Farms:

- Drainage issues are needed and being addressed at this time.
- Our Community loves trails and they need to keep that in mind when designing their trail system.
- What will be done with lot #10? Will it be pasture and open space? That is the plan responded Jed Christiansen.
- What happens after tonight? Big issues at hand are access for the development and negotiations with Nord. Development could move forward or be delayed.

### **IV. Staff Report**

- UDOT report from Cathy Brightwell pointed out the presentation from UDOT regarding express lanes that was included in their packet. She explained some of the high points of the presentation noting the increase of traffic projected for 2040, phases of the project, locations and modifications of bridges, redo of 500 South interchange as a diamond pattern, 500 West interchange realignment, noise walls and the increased noise of an express lane, and environmental impacts.
- Unfortunately there doesn't seem to be a lot of options for sound walls through West Bountiful.

#### **V. Approval of Minutes of November 13, 2012.**

##### **ACTION TAKEN:**

**Mike Cottle moved to approve of the minutes dated November 13, 2012 as presented. Alan Malan seconded the motion and voting was unanimous in favor.**

#### **VI. Adjournment**

##### **ACTION TAKEN:**

**Alan Malan moved to adjourn the regular session of the Planning Commission meeting. Laura Charchenko seconded the motion. Voting was unanimous in favor. The meeting adjourned at 9:15 p.m.**

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**DENIS HOPKINSON-CHAIRMAN**

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**HEIDI VOORDECKERS/CITY RECORDER**

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**DEBBIE MCKEAN /SECRETARY**