

1 **West Bountiful City**  
2 **Planning Commission**

April 22, 2014

3

4 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice  
5 website and the West Bountiful City website, and sent to Clipper Publishing Company on April  
6 18, 2014 per state statutory requirement.

7 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, April**  
8 **22, 2014, at West Bountiful City Hall, Davis County, Utah.**

9

10 **Those in Attendance:**

11

12 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Terry Turner,  
13 Alan Malan, Laura Charchenko, Corey Sweat/Alternate

14

15 **MEMBERS/STAFF EXCUSED:** Mike Cottle

16

17 **STAFF PRESENT:** Ben White (City Engineer), Cathy Brightwell  
18 (Deputy Recorder), Kelly Enquist (Council member) and Debbie  
19 McKean (Secretary)

20

21 **VISITORS:** Brandon Scow, Gary Jacketta, Adam Buck, and Robert  
22 Holmes

23

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

26 **I. Accept Agenda**

27 Chairman Hopkinson reviewed the agenda. Laura Charchenko moved to accept the agenda as  
28 presented. Corey Sweat seconded the motion. Voting was unanimous in favor among  
29 members present.

30 **Business Discussed:**

31 **II. Consider Conditional Use Application for TDC Quads, 1009 West 500 South, Suite 12, a**  
32 **business that dismantles motorcycles and ATV's and sell their parts via the Internet**

33 Commissioner packets included a memorandum dated April 18, 2014 from Cathy Brightwell  
34 regarding the CUP for TDC Quads at 1009 West 500 South, Suite 12 for Brandon Scow,  
35 Conditional Use Application from Brandon Scow, site plan and a copy of his State dismantler's  
36 license.

37 **The memorandum stated that:**

- 38 • Staff received the request from Brandon Scow/TDC Quads to dismantle ATV's and  
39 Motorcycles and sell their parts via internet on March 5, 2014
- 40 • All work will be done inside the building and parts that cannot be used/sold will be  
41 disposed of, recycled, or scrapped appropriately.
- 42 • A dismantler license is required from the State and each vehicle that is dismantled must  
43 have a permit from DMV showing the title and ownership. Mr. Scow has that license  
44 and submitted a copy of it to the city.
- 45 • Application and site plan has been reviewed by Staff and they feel it satisfies the  
46 requirements of Chapter 17.60 Conditional Use and should be approved upon a list of  
47 affirmative findings and recommendations submitted in the memorandum.

48 Cathy Brightwell summarized the application presented in the packet. She explained that Chief  
49 Hixson did some research when the application was filed and found out that Mr. Scow needed a  
50 dismantler license, and permits for each vehicle dismantled from DMV. Mr. Scow has complied  
51 with those regulations.

52 Chairman Hopkinson invited Mr. Scow to the stand. He explained the concerns the city has  
53 regarding parts that would be stored outside and was content to find that Mr. Scow would not  
54 have any outdoor storage.

55 Chairman Hopkinson asked for questions/comments:

- 56 • Corey Sweat had no questions.
- 57 • Terry Turner asked Mr. Scow if he planned to track VIN numbers. Mr. Scow explained  
58 the process required holding a dismantler's license, and that VIN numbers are not the  
59 same for motorcycles and ATV's as they are for cars.
- 60 • Laura Charchenko asked if there would be anything sold from the business site. Mr.  
61 Scow answered that 99% would be online, although there is adequate parking if  
62 someone came on-site to make a purchase.
- 63 • Alan Malan asked what he would be doing with fluids and tires. Mr. Scow will recycle  
64 any tires that cannot be sold. Oil will go to Auto Zone and will be a minimal amount.  
65 Gas will go into his vehicle and oil and coolant will go into a container and disposed of  
66 properly.
- 67 • Chairman Hopkinson was concerned about having a good paper trail for vehicles that  
68 may be stolen and suggested that his bookkeeping be as good as his dismantling skills.

69

70 **ACTION TAKEN:**

71 **Laura Charchenko moved to accept the Conditional Use Permit application for Brandon**  
 72 **Scow/TDC Quads at 1009 West 500 South Suite L with affirmative findings that the proposed**  
 73 **use is desirable to provide a service that will contribute to the general well being in the**  
 74 **neighborhood and community; will not be detrimental to the health, safety, or general**  
 75 **welfare of persons residing in the vicinity, or injurious to property in the vicinity; will not**  
 76 **inordinately impact schools, utilities, and streets in the area; will provide for proper parking**  
 77 **and traffic circulation and be in harmony with the area; and will comply with the regulations**  
 78 **specified in the CH zoning ordinance. The following conditions will apply to this Permit: a fire**  
 79 **inspection approval, no outdoor storage allowed, a DMV Permit will be in possession and**  
 80 **available for inspection for every vehicle dismantled, and all parts and fluids not sold will be**  
 81 **disposed of appropriately. Corey Sweat seconded the motion. Alan Malan added a friendly**  
 82 **amendment that the site be inspected at least annually for proper disposal of fluids and**  
 83 **parts. Terry Turner seconded the amendments and voting was unanimous in favor.**

84 Mr. Scow asked about having a trailer to haul vehicles to and from the site parked at his  
 85 business. He was told that he could have a trailer for that purpose.

86 Alan Malan asked staff about other permits or regular checks on fluids and such. Ben White  
 87 answered that there would be regular inspections and no other permits were needed.

88

89 **III. Conditional Use application for a deck for Adam and Cynthia Buck at 758 West 2250 North**

90 Commissioner packets included a memorandum dated April 18, 2014 from Ben White and  
 91 Cathy Brightwell regarding a Conditional Use Permit Application for a deck for Adam/Cynthia  
 92 Buck at 758 West 2250 North, a copy of the Conditional Use Permit Application, and a site plan.

93 Memorandum contained the following information:

- 94 • Receipt of a Conditional Use Permit application for a deck for Adam/Cynthia Buck at 758  
 95 West 2250 North.
- 96 • Deck plans show the deck to be 21 ½ ft from the rear property line, encroaching into the  
 97 rear setback 106 sq. ft. with a height of 96 to 104 inches which is the same as the upper  
 98 level of the split entry home. A standard aggregate square spindle railing will be  
 99 installed.
- 100 • Staff believes the deck application satisfies the minimum requirements of the West  
 101 Bountiful City Municipal Code, Section 17.24.050, R1-10 zone with the recently passed  
 102 requirements.
- 103 • A list of affirmative findings and recommended conditions.

104 Chairman Hopkinson invited Adam Buck to the stand for questions from the Commissioners.

105 Chairman Hopkinson told the commission that the plans were pretty straight forward and did  
106 not appear to be intrusive to neighboring properties.

107 Commissioner's were invited to ask questions or make comments.

- 108 • Corey Sweat asked about the building on the site plans to the northwest. It is a garage  
109 and the deck will come off the back of the garage and be centered between the house  
110 and the garage. Mr. Buck's home is south facing.
- 111 • Laura Charchenko reminded applicant that deck could not be covered.
- 112 • Alan Malan and Terry Turner had no questions/comments.

113

114 **ACTION TAKEN:**

115 **Corey Sweat moved to approve the Conditional Use Application for a deck for Adam/Cynthia**  
116 **Buck at 758 W 2250 North with the affirmative findings that the proposed use will not be**  
117 **detrimental to the health, safety, or general welfare of persons residing in the vicinity, or**  
118 **injurious to property in the vicinity; will not inordinately impact schools, utilities, and streets**  
119 **in the area; will provide for appropriate buffering of uses and buildings, and the use of**  
120 **building materials which are in harmony with the area and compatible with adjoining uses;**  
121 **and will comply with the regulations specified in the R1-10 zoning ordinance. The following**  
122 **conditions will apply to this Permit: the entire deck will be at least twenty (20) feet from the**  
123 **rear property line; will not encroach more than 200 square feet into setback; the floor of the**  
124 **deck will be no higher than the highest finished floor of the main structure; the portion of the**  
125 **deck that extends into the rear yard setback cannot be covered; and, the railing cannot be**  
126 **more than forty-eight (48) inches high and must be less than twenty-five (25%) non-**  
127 **transparent. Alan Malan seconded the motion and voting was unanimous in favor.**

128

129 **IV. Consider Approval of the Olsen Ranches Subdivision**

130 Commissioner packets included a memorandum dated April 18, 2014 from Ben White regarding  
131 Olsen Ranches final plat and a copy of the final plat. Memorandum included the following  
132 information:

- 133 • Development includes 8 - 1-acre lots
- 134 • Access to the open space parcel will be via an easement on Lot 8
- 135 • Asphalt street, curb and sidewalk design on the west side of 1100 West
- 136 • Curb and gutter, but not sidewalk, is proposed along Pages Lane abutting the  
137 development.
- 138 • A wider than normal park strip, (8 feet instead of 4 feet wide), is proposed in front of Lot  
139 8 on 1100 West Street. This is to accommodate an existing storm drain that is too  
140 shallow to put under the asphalt street. Storm drain cannot be lowered because it must  
141 tie to the existing ditch a short distance away. The park strip will transition back to a

- 142 standard section as the road curves. The asphalt street will be 41 feet wide at full width.  
 143 The edge of the road will also align better with the existing 1100 West on the south side  
 144 of Pages Lane.
- 145 • A 6 foot high 3 sided masonry enclosure is proposed surrounding the petroleum scraper  
 146 facility. The fourth side will be a gated entrance.
  - 147 • Existing storm drain on Lot 2 and 3 boundary will be piped through the lot and left as an  
 148 open ditch through the open space parcel.
  - 149 • Utility extensions include connecting the Weber Basin irrigation line east of Pages Lane
  - 150 • The Bruhn family irrigates from the ditch in front of Lot 7. Provisions are included so  
 151 they can continue to irrigate. The head gate will be located behind the sidewalk.
  - 152 • A new street light is proposed in front of Lot 5. Existing street lights are located at Pages  
 153 Lane intersection and at the 1850 North intersection.
- 154 Staff believes the development has met the requirements from the Planning Commission, city  
 155 code and general engineering standards and recommends final plat approval for the  
 156 subdivision.
- 157 Ben White introduced the highlights of the application for final approval for the Olsen Ranches  
 158 LLC explaining the points listed in his memorandum (see above). Curb and Gutter on Pages  
 159 Lane is included in this development.
- 160 Chairman Hopkinson inquired about the head gate on Lot 7. Alan Malan suggested the gate be  
 161 moved across the street onto the Bruhn property as it could be a safety hazard for small  
 162 children. Mr. White does not see any reason that Mr. Malan's proposal would not work.  
 163 However, it would require the cooperation of the property owner (James Bruhn) on the  
 164 opposite side.
- 165 Bob Holmes was invited to the stand by Chairman Hopkinson for comments/questions from the  
 166 Commissioners:
- 167 • Alan Malan likes the masonry wall around the pump station. He wants the head gate  
 168 moved across the street to the other property owner. He asked about the ADA ramp on  
 169 the corner and was told it will be included.
  - 170 • Laura Charchenko asked if the masonry wall was approved by the utility company. Mr.  
 171 Holmes saw no reason why they should care. It is located off their easement. He is also  
 172 prepared to show the commission a more appealing fence design.
  - 173 • Terry Turner asked about the elevations of the flood plain and Mr. White answered that  
 174 it is in the very far corner of the property only.
  - 175 • Corey Sweat had no comments/questions.
  - 176 • Chairman Hopkinson reviewed the plans and asked a few questions to clarify drawings  
 177 on the site plan. Access Easements to the open space parcel need to be better  
 178 identifiable on the plat . When Lot 7 and 8 are sold property owners need to know  
 179 about the 25 foot easement on the back of their property providing access to the rear

- 180 open space parcel. He agreed with Mr. Malan regarding the head gate and would like to  
 181 know if the Bruhn's will be agreeable with relocating the head gate on their property;  
 182 cost will be the developer's responsibility. Chairman Hopkinson would like a condition  
 183 attached to the final approval that the situation of the head gate will be resolved and  
 184 met before final approval is given.
- 185 • Chairman Hopkinson said that they could proceed with the development regardless but  
 186 wherever the head gate is located that property owner would need to maintain it. Mr.  
 187 Holmes would like it on the east side of the street or in city park strip on the west side of  
 188 the street.
  - 189 • Alan Malan was concerned about the cost of moving the head gate.
  - 190 • Terry Turner asked if there were any other reasons to move the head gate other than  
 191 for safety. Ben White responded that there is a value in having the valve on the  
 192 property where it is actually used.
  - 193 • Ben White offered to talk to Mr. Bruhn about moving the head gate to his property.
- 194 Mr. Holmes distributed a copy of a fence design he proposes to go around the scraper station.  
 195 He stated that the Trex type fence is for the developers and not the city and would like to have  
 196 a nice looking fence rather than a block wall fence which he believes invites graffiti. Mr. Malan  
 197 felt that the proposed fence is actually safer than a block wall because kids can't climb along  
 198 the top of it.
- 199 Mr. Holmes also had an issue with curb and gutter going along Pages Lane. He is fine with  
 200 taking it around the corner and providing the ADA access but prefers not to put curb and gutter  
 201 along Pages Lane when most other properties along Pages Lane, to the west of 1100 North, do  
 202 not have it and probably will never have it. He asked what the reasoning is behind requiring  
 203 curb and gutter. Some discussion took place.
- 204 • Chairman Hopkinson responded that curb and gutter is required for the movement of  
 205 surface water so that it is directed where it needs to go. He understands that there is  
 206 no other curb and gutter on that portion of the road but we have to plan for the future  
 207 and it needs to start somewhere.
  - 208 • Kelly Enquist spoke to the comment regarding whoever cuts and maintains the side  
 209 roads and said it would be easier to cut without curb and gutter. Councilman Enquist  
 210 stated that the curb and gutter would just gather gravel and debris.
  - 211 • Mr. White stated that Public Works would prefer curb, gutter and sidewalk be  
 212 constructed. Ben White requested that at minimum a catch basin be installed to collect  
 213 storm water if curb is not installed. Mr. Holmes prefers to put in curb and gutter over a  
 214 catch basin.
  - 215 • Mr. Holmes would like to do what the Planning Commission feels is best for the city and  
 216 not what will save him money.
  - 217 • Chairman Hopkinson asked Mr. Holmes to get the manufacturer's name of the fencing  
 218 that they would place around the Pump-station to Cathy Brightwell.

219

220 Some discussion took place regarding the curb, gutter and sidewalk requirement.

221 **ACTION TAKEN:**

222 **Corey Sweat moved to approve the final plat for Olsen Ranches, LLC with the following**  
223 **conditions: curb and gutter along Pages Lane abutting the development, head gate on Lot 7**  
224 **to be located in the Park Strip on Lot 7 or on the Bruhn property, and the fencing around the**  
225 **Pump Station on Lot #8 be made with Trex material or a similar material as submitted by**  
226 **developer. Alan Malan seconded the vote and a roll call vote was taken.**

227 **Roll Call Vote:**

228 **Alan Malan- Aye**

229 **Laura Charchenko- Aye**

230 **Terry Turner- Aye**

231 **Corey Sweat – Aye**

232 **Denis Hopkinson- Aye**

233

234 **V. Staff Report**

- 235 • Cathy needs golf forms turned in within a week in order for family members to use their
- 236 golf privileges.
- 237 • Ben White noted that there has been some interest in the Equestrian Center property
- 238 and thinks that within 30-60 days they will see it on the agenda.

239

240 **VI. Approval of Minutes of dated March 25, 2014**

241 **ACTION TAKEN:**

242 **Alan Malan moved to approve of the minutes dated April 8, 2014 as presented. Laura**  
243 **Charchenko seconded the motion and voting was unanimous in favor among those members**  
244 **present.**

245

246 **VI. Adjournment**

247 **ACTION TAKEN:**

248 **Alan Malan moved to adjourn the regular session of the Planning Commission meeting. Corey**  
249 **Sweat seconded the motion. Voting was unanimous in favor. The meeting adjourned at 8:40**  
250 **pm.**

251

252 .....

253

254 The foregoing was approved by the West Bountiful City Planning Commission on April 22, 2014, by  
255 unanimous vote of all members present.

256

257 Cathy Brightwell

258 Cathy Brightwell – Deputy Recorder

