

Mayor
Kenneth Romney

**City
Engineer/Planner**
Ben White

City Recorder
Cathy Brightwell

WEST BOUNTIFUL PLANNING COMMISSION

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355

Chairman
Denis Hopkinson

Commissioners
Laura Charchenko
Mike Cottle
Alan Malan
Terry Turner
Corey Sweat, Alt.

THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD ITS
REGULARLY SCHEDULED MEETING ON TUESDAY, **OCTOBER 13, 2015**
AT 7:30 PM AT THE CITY OFFICES AT 550 NORTH 800 WEST

AGENDA AS FOLLOWS:

Welcome. Prayer/Thought by invitation

1. Accept Agenda.
2. Consider Conditional Use Application for AutoZinc.com, LLC at 1090 W 500 S to Display and Repair Vehicles To Be Sold.
3. Staff Report
 - a. Development Update
 - b. Park Update
 - c. Pages Lane Update
4. Consider Approval of September 22, 2015 Meeting Minutes.
5. Adjournment.

Individuals needing special accommodations including auxiliary communicative aids and services during the meeting should notify Cathy Brightwell at 801-292-4486 twenty-four (24) hours before the meeting.

*This notice has been sent to the Clipper Publishing Company, and was posted on the State Public Notice website and the City's website on **October 9, 2015**.*

MEMORANDUM



TO: Planning Commission

DATE: October 8, 2015

FROM: Cathy Brightwell, Ben White

RE: AutoZinc.com, LLC

Staff received a request from Robert West for a conditional use permit and a business license for AutoZinc.com LLC, at 1090 W 500 South. Mr. West operates an auto sales business by the same name at 735 W 500 South, Woods Cross and wants a location close by to hold and display vehicles that he may not have room for on his sales lot. There will be no sales office at the West Bountiful location. In the application, he explains that in addition to displaying and holding vehicles to be sold, he will perform minor service work on his own vehicles, but not to the general public.

The West Bountiful City Municipal Code, Commercial Highway (C-H) zone, Section 17.34.030 lists *motor vehicle sales and service and outdoor storage of retail vehicle inventory* as a conditional use which may be approved by the planning commission. The Conditional Use ordinance, Section 17.60.040, requires the planning commission to *consider* whether:

1. The proposed use at the particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood and the community;
2. The proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
3. The proposed use and/or accompanying improvements will not inordinately impact schools, utilities, and streets;
4. The proposed use will provide for appropriate buffering of uses and buildings, proper parking and traffic circulation, the use of building materials and landscaping which are in harmony with the area, and compatibility with adjoining uses;
5. The proposed use will comply with the regulations and conditions specified in the land use ordinance for such use;
6. The proposed use will conform to the intent of the city's general plan; and
7. The conditions to be imposed in the conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purposes of this subsection.

Staff recommends the following conditions be required with granting of this conditional use permit, consistent with similar businesses in the area:

1. Proof of Insurance;
2. Fire Inspection approval – *scheduled for October 13*;
3. Secure a building permit for signs;
4. Vehicles on display will be operable and in sellable condition;
5. No sales will take place at this location without further approval by planning commission;
6. Inventory will be limited to prevent the need to stack vehicles on the property;
7. No outdoor storage, other than vehicles to be sold, will be allowed;
8. Upon issuance of this Permit, AutoZinc.com LLC will purchase a West Bountiful City business license.



CONDITIONAL USE PERMIT APPLICATION

West Bountiful City
PLANNING AND ZONING
550 N 800 W, West Bountiful, UT 84087
Phone: (801) 292-4486 Fax: (801) 292-6355
www.westbountiful.utah.gov

PROPERTY ADDRESS: 1090 WEST 500 SOUTH

PARCEL NUMBER: _____ ZONE: CH DATE OF APPLICATION: 10-5-15

Name of Business: AUTOZWC.COM LLC

Applicant Name: ROBERT WEST

Applicant Address: 558 OUTLOOK COVE DRAPER UT 84020

Primary phone: (801) 633-2444 Fax Number: (801) 456-9701

E-mail address: ROBERT.AUTOZWC@GMAIL.COM

Describe in detail the conditional use for which this application is being submitted. Attach a site plan which clearly illustrates the proposal. A separate sheet with additional information may be submitted if necessary.

- 1- DISPLAY CARS & TRUCKS
- 2- MECHANIC SHOP FOR AUTOZWC.COM LLC

The Applicant(s) hereby acknowledges that they have read and are familiar with the applicable requirements of Title 17.60 of the West Bountiful City Code, pertaining to the issuance of Conditional Use Permits. If the applicant is a corporation, partnership or other entity other than an individual, this application must be in the name of said entity, and the person signing on behalf of the Applicant hereby represents that they are duly authorized to execute this Application on behalf of said entity.

Fee must accompany this application - \$20 for Residential Zone, \$50 for Business Zone

I hereby apply for a Conditional Use Permit from West Bountiful City in accordance with the provisions of Title 17, West Bountiful Municipal Code. I certify that the above information is true and correct to the best of my knowledge.

Date: 10/2/15

Applicant Signature: [Handwritten Signature]

FOR OFFICIAL USE ONLY

Application Received Date: _____

Permit Number: _____

Application Fee Received Date: 10/5/15

Permit Approval Date: _____

Fee: \$20 Residential X \$50 Commercial



Google earth

Google earth

feet 100
meters 30





COMMERCIAL BUSINESS LICENSE APPLICATION

West Bountiful City
BUSINESS LICENSING DEPARTMENT
550 N 800 W, West Bountiful, UT 84087
Phone: (801) 292-4486
Fax: (801) 292-6355
www.wbcity.org

Please allow 10-14 business days for processing

Type of License Requested: New Renewal

Business Information:

Business Name: AUTOZINC.COM LLC
Business Name (DBA): N/A Phone: (801) 456-9700 Fax: (801) 456-9701
Business Address: 1090 WEST 500 SOUTH WEST BOUNTIFUL UT 84087
Mailing Address (if different): 735 WEST 500 SOUTH WOODS CROSS UT 84087
State License No: _____ State Tax ID: 13940477-004 ^{STC} FEIN: 47-1306901

Specific Description of Business to be conducted:

HOLDING LOT FOR CARS.
MECHANIC SHOP FOR AUTOZINC.COM

Applicant Information:

Applicant's Name: First: ROBERT Middle: TERRY Last: WEST
Applicant's Address: 588 OUTLOOK COVE DRAPER UT 84020 Phone: (801) 633-2444
Owner Name: First: ROBERT Middle: TERRY Last: WEST
Owner Address: 558 OUTLOOK COVE DRAPER UT 84020 Phone: (801) 633-2444
General Manager: First: SAME Middle: _____ Last: _____
Emergency Contact(s): ROBERT WEST (801) 633-2444

PLEASE APPLY FOR AN ALARM PERMIT IF YOU HAVE AN ALARM SYSTEM AT YOUR BUSINESS LOCATION

I hereby make application for the issuance of a business license from West Bountiful City in accordance with the provisions of West Bountiful Municipal Code, Title 5. I certify that the above information is true and correct to the best of my knowledge. I understand that additional permitting may be required in order to comply with zoning requirements.

Date: 10/2/15 Sign Here: [Signature]
Applicant

License Fees:

Annual License Fee			\$ 50.00
Number of Full Time Employees	<u>1</u>	x \$5.00 per employee	\$ <u>5.-</u>
Number of Part Time Employees	<u>2</u>	x \$2.50 per employee	\$ <u>5.-</u>
Other Applicable Fees (Conditional Use, Beer License, Amusement Device)			\$ _____
TOTAL DUE			\$ _____

FOR OFFICIAL USE ONLY

Application Received Date: _____ Conditional Use Required? _____
Health Department Approval Date: _____ Fire Marshall Approval Date: _____

1 **West Bountiful City** **PROPOSED** **September 22, 2015**
2 **Planning Commission**

3 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice
4 website and the West Bountiful City website, and sent to Clipper Publishing Company on
5 September 18, 2015 per state statutory requirement.

6 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**
7 **September 22, 2015, at West Bountiful City Hall, Davis County, Utah.**

8

9 **Those in Attendance:**

10

11 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Vice
12 Chairman Terry Turner, Laura Charchenko, Mike Cottle, and Alan
13 Malan and Councilmember Kelly Enquist

14

15 **MEMBERS EXCUSED:** Corey Sweat

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

18

19 **VISITORS:** Eric Eastman, Brad Frost, Kyle Honeycutt, Gary
20 Jacketta, Mayor Romney, Councilmember James Bruhn, Mark
21 McCleery, Sheri McCleery, and Wes Morley.

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

24 **I. Accept Agenda.**

25 Chairman Hopkinson reviewed the agenda. Laura Charchenko moved to accept the agenda as
26 posted. Alan Malan seconded the motion and voting was unanimous in favor.

27

28 **Business Discussed:**

29 **II. Consider Terry Nilson's request to build a 7 foot fence on his property abutting the**
30 **City Park, at 1716 N 560 West.**

31 Included in the Commissioner's packet was a memorandum dated September 22, 2015 from Ben
32 White regarding a 7 foot fence at 1716 N 560 West, a letter from Mr. Nilson regarding his
33 purpose for the request to propose a variance on his fence, and some photos of the current fence.

34

35 **The memorandum included the following information:**

- 36 • A description of the property and its location.
- 37 • The property is currently in disrepair with nobody living in or on the property.
- 38 • City has received many complaints about various nuisances.
- 39 • Mr. Nilson has been cooperative in addressing the concerns and nuisances related to his
- 40 property that the City has addressed to him in the past.
- 41 • Mr. Nilson is seeking help and assistance from the Planning Commission to grant a
- 42 variance to replace the existing 6 foot chain link fence that separates his property from
- 43 the City Park property in order to reduce visibility of activity occurring on his property
- 44 and protect his property from errant soccer balls, baseballs, Frisbees and possibly future
- 45 basketball activity when the City builds the basketball courts next to his property.
- 46 • Reference to City Code 17.24.100 *Fence requirements*.
- 47 • Information regarding the permit from Staff.

48 Ben White spoke in Mr. Nilson's absence. Mr. White described the property to the Commission
49 and informed them of the issues that he has had with maintaining the property. He noted that
50 Mr. Nilson desires to have more privacy to his property that abuts the City Park. Mr. White
51 informed them that the city has the right to grant the request but not to determine what material
52 Mr. Nilson can use for the fence.

53 Chairman Hopkinson informed the Commission that improvements made to the city park have
54 imposed upon Mr. Nilson's privacy. Commissioner's reviewed the photos. Mr. Hopkinson
55 expressed his opinion to the Commissioners that it makes perfect sense for Mr. Nilson to request
56 the higher fence both from the City's perspective and for Mr. Nilson's privacy.

57 Some discussion took place regarding staff's recommendation regarding the structural
58 engineering associated with a building permit.

59 Mike Cottle was concerned about a steel fence killing the lawn but the cement strip would solve
60 that concern.

61 Terry Turner was concerned with the invitation the metal fence would draw to attracting graffiti.
62 As a whole, he feels this is in the best interest of both the City and the property owner.

63 Laura Charchenko inquired regarding the possible detrimental effect of the metal material to
64 burning the landscaping as well. Some discussion took place that lead to the resolve of that
65 concern.

66 Alan Malan inquired how high the ground elevation is next to his property. Ben White
67 addressed his concerns. Mr. Malan felt the Park was of great impact to the property owner and
68 supports the idea for a higher fence.

69 Letter from Mr. Nilson included:

- 70 • Reason for the request to build a 7 foot fence was that the current 6 foot chain link fence
71 that belongs to the city and no longer is suitable because of the walking traffic the park
72 has due to the sidewalk path around the park. The property is visible by all those visiting
73 the park.
- 74 • He plans to build a fence made of steel similar to his large accessory building with post
75 bedded in cement and an 8 inch wide mow strip. There would be 12 inches from the top
76 of the mow strip.

77 Chairman Hopkinson raised concerns about the fact that this material will likely be used as a
78 canvas for graffiti given its type and location in the park.

79 **ACTION ITEM:**

80 **Laura Charchenko moved to accept the request from Terry Nilson at 1716 North 560 West**
81 **to build a 7 foot fence on his property abutting the City Park, according to the specific**
82 **building plans he has submitted and after he obtains a building permit as is required. Alan**
83 **Malan seconded the motion and voting was unanimous in favor.**

84

85 **III. Discuss Ovation Home PUD application for Pony Haven Property**

86 Chairman Hopkinson invited Alan Malan to share any comments he would like concerning the
87 presentation by Ovation Homes the other evening to the surrounding neighbors of the proposed
88 development.

89 Mr. Brad Frost, owner of Ovation Homes, introduced himself and his company. He provided
90 pictures on a slide show presentation. He stated that they have built these types of developments
91 in the Davis/Weber area for 16 years. The proposed development request for our City is for a 55
92 year and older community.

93 This community will have a public street, public sidewalks, full landscaping and fencing,
94 maintained yards, and maintenance free designed homes.

95 Mr. Frost informed the Commission that they desire to fill a need to a certain demographic in
96 West Bountiful that is not currently available in our city. This is a way for active adults 55 and
97 over to continue to live in the city. The development would come with a very successful,
98 financially sound HOA in place. He noted the desirability of this type of community that will
99 produce 60% less traffic than that of a single family development. Each buyer will receive a
100 year's season pass to Lakeside Golf Course that will introduce them to the golf course and boost
101 the economy of the course. In addition, it would be a great improvement to that neighborhood
102 and bring connectivity to the area adding value to our city and the depleted condition of that area.

103 The current drainage problems that have been ongoing in this area would be corrected. The front
104 side of 1600 West will have a picture park with a 30 foot boundary and be a nice entry way into
105 the development.

106 Mr. Frost highlighted a few things from the PUD definition and compared it to language in the
107 R-1-10 Purpose and explanation and then talked about similarities of the two favoring what the
108 PUD development would bring to our community.

109 In regards to bonus density, Mr. Frost reviewed how he perceives the project would qualify for
110 bonuses under the various qualifying factors allowed in our ordinance. He suggested ideas and
111 percentages for each of the following: building and project design, innovative site planning,
112 public benefits, provision, protection and maintenance of open space, interior amenities and
113 landscaping.

114 The developer is requesting a change to our current side yard setbacks allowances. This would
115 require changing the city's current ordinance. Mr. Frost stated that this make sense for these
116 type of developments. Mr. Frost showed the differences between what side yards are used for in
117 R-1-10 properties and the setbacks requested for their PUD projects. He noted that no RV
118 parking is allowed in the side or front yards resulting in a less cluttered look than most
119 neighborhoods. In conclusion, Mr. Frost's proposal would call for a 35% density bonus.

120 Chairman Hopkinson responded that he could only come up with a total density bonus of 10% in
121 his calculations. Mr. Hopkinson stated that he was very concerned about parking when family
122 comes to visit these residents. He explained to Mr. Frost that a written proposal must be
123 received regarding the density bonuses and the support thereof for each of them suggesting some
124 ways they could go. He continued to review each requirement for bonus density request and
125 explained what was needed. He explained that as Commission and Council they have to decide
126 if this type of development is beneficial to the city enough to give them what they are requesting.

127 Chairman Hopkinson asked for comments from each of the Commissioners:

128 **Alan Malan** noted that they have 4 entrances and only gave ideas for one design. Mr. Frost
129 stated that they were merely giving them some ideas this evening and not their whole
130 development proposal. Mr. Malan stated that requirements in 17.16.010 will be big hurdles for
131 them. In addition, he does not like the small backyard setbacks or the side yard setbacks. He
132 feels that there needs to be RV parking available, which is a requirement in our ordinance.

133 **Laura Charchenko** feels this is a needed addition to our community but is concerned with
134 setbacks and does not want to change the code to make this project work. She loves the picture
135 park idea. She supports the overall concept but would like to see homes farther apart.

136 **Terry Turner** agrees with the concept and feels it is a good fit for our community. He does not
137 like the density that has been proposed. Mr. Turner requested information on the different

138 elevations. Mr. Frost will bring a variety of different ideas to the next meeting. He felt like there
 139 was not enough parking for families to visit for dinners, etc. He is struggling a bit without how
 140 this fits into the general plan for the city.

141 **Mike Cottle** feels there is a great need for this type of project but does not like the high density
 142 proposed at this time. He knows the homes will sell but would like a proposal with less density.
 143 He is in agreement with the other Commissioner's comments.

144 **Councilmember Enquist** inquired about garbage and recycle can storage as well as where the
 145 mailboxes would be located. Mr. Frost responded that cans are usually stored in the garage or
 146 behind the fence. He will show those details in their next proposal.

147 Mr. Brad Frost said he looks forward to an open dialog with the Commission and commented
 148 that the PUD ordinance has not been addressed in recent years and suggested it may be beneficial
 149 to re-address and update some of the requirements.

150 Mr. Hopkinson explained that West Bountiful is not like other communities, and values its open
 151 space. He said he looks forward to seeing their innovative ideas in writing and concept drawings
 152 as part of a formal proposal. Mr. Frost responded that they will prepare the needed information
 153 in a written proposal and present it to them in the near future.

154 **IV. Staff Report**

- 155 • Ben reported that the Flag lot ordinance was approved by the City Council with no
 156 language changes.
- 157 • Ben informed the Commission that next Tuesday a meeting has been scheduled for 7:00
 158 p.m. with the residents on Pages Lane to discuss the proposed Pages Lane project.
- 159 • Mr. White reported that the park concrete project for the volleyball courts and playground
 160 will be completed by the end of this week.
- 161 • Cathy Brightwell reported that the salaries for Commissioners will be increased this
 162 budget year by Resolution of the City Council. Their first quarterly checks next week
 163 will realize this increase. She noted that Chairman Hopkinson will now be the highest
 164 paid Planning Commission Chair in Davis County.
- 165 • Ms. Brightwell also informed the Commission that the City has secured an identity theft
 166 policy for all city employees, city council, planning commission, etc. and their families.
 167 More details to come.

168 **V. Approval of Minutes for September 8, 2015**

169 **ACTION TAKEN:**

170 **Terry Turner moved to approve the minutes dated September 8, 2015 as presented. Mike**
 171 **Cottle seconded the motion and voting was unanimous in favor among those members**
 172 **present.**

173 **VI. Adjournment**

174 **ACTION TAKEN:**

175 **Alan Malan moved to adjourn the regular session of the Planning Commission meeting at**
176 **9:08 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.**

177

178
179 The foregoing was approved by the West Bountiful City Planning Commission on October 13, 2015, by
180 unanimous vote of all members present.

181 _____

182 Cathy Brightwell - City Recorder

183

184