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.
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.
CONSEQUENTIAL USE PERMIT APPLICATION

PROPERTY ADDRESS: 1090 West 500 South

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

Name of Business: AutoZone.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.AutoZone@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 AutoZone.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:

FOR OFFICIAL USE ONLY

Application Received Date: 10/5/15
Application Fee Received Date: 10/5/15 Permit Number: 
Fee: $20 Residential X $50 Commercial Permit Approval Date:

Revised June 2012
COMMERCIAL
BUSINESS LICENSE
APPLICATION

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 Wanship UT 84087
State License No: State Tax ID: 13940477-004 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: 888 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: 10/12/15  Sign Here:  

License Fees:

Annual License Fee $ 50.00
Number of Full Time Employees x $5.00 per employee $ 5.00
Number of Part Time Employees x $2.50 per employee $ 5.00
Other Applicable Fees (Conditional Use, Beer License, Amusement Device) $ 0.00
TOTAL DUE $ 50.00

FOR OFFICIAL USE ONLY

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

Revised February 2012
West Bountiful City Planning Commission

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 September 18, 2015 per state statutory requirement.

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

Those in Attendance:

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

MEMBERS EXCUSED: Corey Sweat

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


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

I. Accept Agenda.

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

Business Discussed:

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

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

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

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

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

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

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

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

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

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

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

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

**ACTION ITEM:**

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

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

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

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

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

Mr. Frost informed the Commission that they desire to fill a need to a certain demographic in West Bountiful that is not currently available in our city. This is a way for active adults 55 and over to continue to live in the city. The development would come with a very successful, financially sound HOA in place. He noted the desirability of this type of community that will produce 60% less traffic than that of a single family development. Each buyer will receive a year’s season pass to Lakeside Golf Course that will introduce them to the golf course and boost the economy of the course. In addition, it would be a great improvement to that neighborhood and bring connectivity to the area adding value to our city and the depleted condition of that area.
The current drainage problems that have been ongoing in this area would be corrected. The front side of 1600 West will have a picture park with a 30 foot boundary and be a nice entry way into the development.

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

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

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

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

Chairman Hopkinson asked for comments from each of the Commissioners:

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

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

**Terry Turner** agrees with the concept and feels it is a good fit for our community. He does not like the density that has been proposed. Mr. Turner requested information on the different
Mr. Frost will bring a variety of different ideas to the next meeting. He felt like there was not enough parking for families to visit for dinners, etc. He is struggling a bit without how this fits into the general plan for the city.

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

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

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

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

IV. Staff Report

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

V. Approval of Minutes for September 8, 2015

ACTION TAKEN:

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

ACTION TAKEN:

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

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

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Cathy Brightwell - City Recorder