

Mayor
Kenneth Romney

**City Engineer/
Zoning
Administrator**
Ben White

City Recorder
Cathy Brightwell

WEST BOUNTIFUL PLANNING COMMISSION

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West Bountiful, Utah 84087

Phone (801) 292-4486
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Chairman
Denis Hopkinson

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

**THE WEST BOUNTIFUL PLANNING COMMISSION WILL
HOLD A REGULARLY SCHEDULED MEETING AT 7:30 PM
ON TUESDAY, SEPTEMBER 27, 2016 AT THE CITY OFFICES**

AGENDA AS FOLLOWS:

Welcome. Prayer/Thought by invitation

1. Accept Agenda.
2. Consider Conditional Use Application #16-009 from Kathrin Lorenzo, KD Auto, at 519 N 500 West to do Light Auto Mechanical Repairs.
3. Consider Conditional Use Application #16-008 from Dan Hicks, Dan's Auto & Diesel, at 423 N 800 West to Continue Earl DeWaal's Grandfathered Business to do Auto Mechanical, Body Repair, Towing and Impound.
4. Discuss Title 17, Yard and Fence Requirements for Residential Zones.
5. Staff Report.
 - P.U.D Ordinance/Joint worksession October 18, 2016.
 - Annexation Petition – 1450 West
 - Possible Subdivision/Rezone Request - Brandon Jones.
6. Consider Approval of September 13, 2016 Meeting Minutes.
7. 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 September 23, 2016.

**West Bountiful City
Planning Commission**

September 27, 2016

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 23, 2016 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, September 27, 2016, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Terry Turner, Alan Malan, Mike Cottle, Laura Charchenko, Andy Williams (Councilmember).

MEMBERS/STAFF EXCUSED: Corey Sweat (Alternate).

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

VISITORS: Kathrin Lorenzo

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

I. Accept Agenda

Chairman Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as presented. Alan Malan seconded the motion. Voting was unanimous in favor among members present.

Business Discussed:

II. Consider Conditional Use Application #16-009 from Kathrin Lorenzo, KD Auto, at 519 N 500 West to do Light Auto Mechanical Repairs.

Commissioner's packet included a memorandum from Cathy Brightwell and Ben White dated September 26, 2016 regarding KD Auto – 519 North 500 West, a Conditional Use permit application, and a Commercial Business License application from Kathrin Lorenzo (KD Auto).

Chairman Hopkinson introduced the Commissioner's to the Conditional Use Permit application and explained where this business would be located and some of the business's that surround this area.

Cathy Brightwell reviewed the Conditional Use Application. The original application was for car sales and light mechanical repairs. Further conversations with the applicant found it to be only a preparation location for the sale of vehicles at another site. Staff's concern is that the change of use of this business does not adequately fit this zone. Ms. Brightwell pointed out that prior businesses in this area have had many complaints in regards to outdoor storage and clutter.

Ms. Kathrin Lorenzo took the stand and explained she would like to operate an auto business which includes both car sales and light mechanical repairs on the cars for sale. The mechanical repairs would be done at this business address and the sales of the vehicles would be done at her Bountiful location only because of the limited parking and unsafe conditions regarding through traffic use on her property.

Chairman Hopkinson asked for questions from the Commissioners; there were none.

Chairman Hopkinson explained that the nature of the business without retail sales is not allowed in this zone. He asked Ms. Lorenzo to explain what her real intent is for the business. She discussed the improvements she has made to the property and that she is willing to work with the City to keep it up to the standards they expect. Her Bountiful location is a very attractive property and she intends to have this one look just as nice. She initially planned to do her retail sales at this location but when it was explained that her vehicles must be back forty feet from the corner she decided it would be better to limit the use of the property to repairs only. She also explained that she has a significant problem with vehicles using her property as a drive-through or turn around area which can cause safety issues and damage to her inventory. If these two issues could be resolved, she would be happy to move her sales to West Bountiful. There was discussion about solutions to block non-customer traffic through the property.

Chairman Hopkinson directed Staff do a site visit to the location and see what possibilities there are for her to comply with current conditions and do business safely at her location.

ACTION TAKEN:

Alan Malan moved to table the conditional use permit for KD Auto - 519 N 500 West so that staff can visit the site and review possible solutions to bring back for approval. Terry Turner seconded the motion. Some discussion took place and the motion failed unanimously when voted upon.

ACTION TAKEN:

Laura Charchenko moved to approve the conditional use permit for Kathrin Lorenzo, KD Auto at 519 N 500 West to sell vehicles and perform minor mechanical repairs on vehicles intended for sale according to Section 17.60.040 after considering the following: 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; under the circumstances of the particular case, 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; accompanying improvements will not inordinately impact schools, utilities, and streets; will provide the 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

compatible with adjoining uses; and will comply with the regulations and conditions specified in the appropriate land use ordinance for such use.

The following conditions will mitigate the reasonably anticipated detrimental effects of the proposed use: the applicant must provide proof of insurance; pass fire inspection; no auto body work can be performed; no parking within required site triangle on the corner of 500 West and Evergreen Circle as determined by staff; no wrecked/inoperable vehicles or outdoor storage will be allowed outside the service bays, and retail sales will be conducted from this location.

Alan Malan seconded the Motion and voting was unanimous in favor among those members present.

III. Consider Conditional Use Application #16-008 from Dan Hicks, Dan's Auto & Diesel, at 423 N 800 West to Continue Ear DeWaal's Grandfathered Business to do Auto Mechanical, Body Repair, Towing and Impound.

This item was removed from the agenda.

IV. Discuss Title 17, Yard and Fence Requirements for Residential Zones

Included in the Commissioner's packet was a memorandum dated August 19, 2016 from Ben White regarding yard setbacks, a clean version of current practices (not code) in 17.04.030 (definitions), 17.xx.050 (Yard Regulations), and 17.xx.100 (Fence Requirements) with diagrams of possible options to consider.

Ben White summarized previous discussion on Title 17 Yard and Fence Requirements for Residential Zones and stated that staff desires to clean up definitions so there are no grey areas. Chairman Hopkinson voiced his concern that our regulations could ruin a good corner lot and hinder what a family can do with their property. Some discussion took place regarding the highlighted areas in the document at hand. All three options were reviewed and discussed with pros and cons. A few examples throughout the city were pointed out and discussed.

Chairman Hopkinson asked what will help Staff the most. Ben White stated that he likes consistency; the proposed current practice option would allow most of those that are currently outside of Code to be in compliance.

Commissioner's Comments:

Alan Malan would like everyone to be treated the same. He asked if the "Lot Line, Front" as defined, should be done by address. Ben White explained how addresses are created and identified. He didn't feel like this would make much of a difference and is rarely a problem. Some discussion took place in these regards. Mr. Malan asked about Side Yard 2b and if any kind of structure would be allowed. Ben responded that it's based on the definition of structure. In regards to 17.xx.100 A., Mr. Malan doesn't feel it matters whether it is six feet high and closer than 5 feet apart.

Regarding Section B. Mr. Malan would like language to be changed as follows: Place a period after "setback" strike "and" and restate "within any front yard setback". Some discussion took

place whether this section was even necessary to include in this document. Ben White cautioned them to consider if they would like to see walls throughout the city blocking the front views of their homes. That would be what could occur if this section was not included in this document.

Mike Cottle deals with corner lots in his real estate business and the big issue is always safety.

Terry Turner wants to allow people to do what they want on their property as long as it is safe. He feels Staff should have that discretion on individual circumstances.

Chairman Hopkinson wants to have citizen's input on this matter and would like to hold a public hearing. Some different options were suggested to get public input. He would like some visual examples on display. Staff was directed to put some things together and develop a questionnaire that could be given to citizens.

V. Staff Report

Ben White:

- P.U.D Ordinance/Joint work session October 18, 2016 at 6:00 - City has hired an outside planner to lead the discussion.
- Annexation Petition- 1450 West- Letters are being sent out to announce a Public Hearing in regards to annexing in the city. The hearing will be held on October 11th.
- Possible Subdivision/Rezone Request – Brandon Jones- A plat is still needed. All utility easements have been obtained. He will probably be before the Commissioners at the next meeting.

Cathy Brightwell:

No report.

VI. Approval of Minutes of dated September 13, 2016

ACTION TAKEN:

Laura Charchenko moved to approve of the minutes dated as presented. Alan Malan seconded the motion and voting was unanimous in favor among those members present.

XIII. 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 8:45 p.m.

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The foregoing was approved by the West Bountiful City Planning Commission on October 11, 2016, by unanimous vote of all members present.

Cathy Brightwell

Cathy Brightwell – City Recorder

