

Mayor
Kenneth Romney

**City Engineer/
Zoning
Administrator**
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 A REGULAR MEETING AT 7:30 PM ON TUESDAY, MARCH 28, 2017 AT THE CITY OFFICES

AGENDA AS FOLLOWS:

Welcome. Prayer/Thought by Invitation

1. Accept Agenda.
2. Public Hearing To Receive Comments on the Request By Stone Creek Investment, LLC to Rezone Properties on the North Side of 500 South (SR 68) Between 800 West and I-15 From General Commercial (C-G) to Highway Commercial (C-H).
3. Consider Request to Rezone Properties on the North Side of 500 South (SR 68) Between 800 West and I-15 From General Commercial (C-G) to Highway Commercial (C-H).
4. Staff Report.
5. Consider Approval Of Minutes From March 14, 2017.
6. 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 **March 21, 2017.***

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**NOTICE
OF
PUBLIC HEARING**

The West Bountiful Planning Commission will hold a Public Hearing on Tuesday, March 28, 2017 at 7:30 p.m., or as soon as agenda allows, at 550 N 800 West, West Bountiful, Utah, 84087.

The purpose of the hearing is to receive public comment regarding a proposed rezone of the property on the north side of 500 South (SR 68) between 800 West and Interstate 15 from C-G (General Commercial) to C-H (Highway Commercial).

All interested parties are invited to participate. Written comments may be submitted to the City Offices prior to the meeting.

Cathy Brightwell
City Recorder

WEST BOUNTIFUL 500 SOUTH REZONE AREA

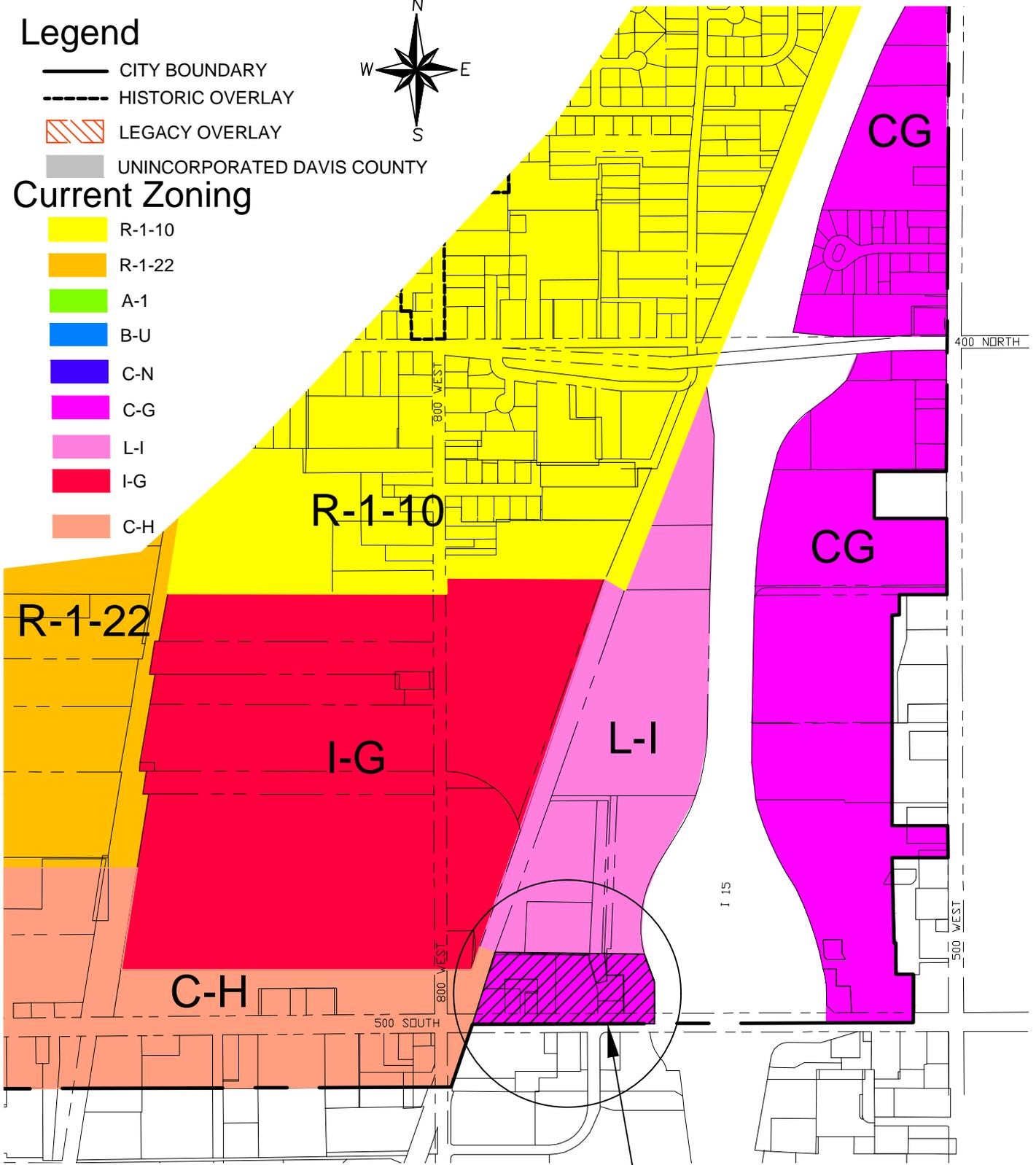
Legend

-  CITY BOUNDARY
-  HISTORIC OVERLAY
-  LEGACY OVERLAY
-  UNINCORPORATED DAVIS COUNTY



Current Zoning

-  R-1-10
-  R-1-22
-  A-1
-  B-U
-  C-N
-  C-G
-  L-I
-  I-G
-  C-H



REZONE AREA
from C-G to C-H

REVISED 3/17/17



MEMORANDUM

TO: Planning Commission
DATE: March 21, 2017
FROM: Ben White
RE: 500 South Rezone Request

Mr. Scott Garner (Stone Creek Investment LLC) owns the property at 756 W 500 South, just east of the Union Pacific Railroad tracks. The property currently contains one small office building with vacant land on the east and the west. Mr. Garner recently obtained a Conditional Use Permit to construct an office building on the property to the east. He also desires to construct a building to the west that has a larger warehousing component than office component. Warehousing is a conditional use in the C-H zone but is not permitted in the C-G zone. Therefore, Mr. Garner is requesting that his property be rezoned from C-G zone to C-H zone.

A public hearing has been scheduled for March 28, 2017 to receive public comment on the request. The hearing notice provides the City the opportunity to consider an area larger than that owned by Mr. Garner. The notice references all property currently zoned C-G between I-15 and the railroad tracks.

There will be reasons to consider leaving the zoning the way it currently exists; reasons to rezone the entire noticed area; and reasons to consider rezoning only a portion.

Possible reasons to rezone Mr. Garner's property include the impacts related to being adjacent to the railroad right of way. Being right next to the railroad a track does not make for prime office or retail space. The track would have little impact on office/warehouse though.

The commercial property east of Mr. Garner's property owned by Sky Properties could be negatively impacted by a rezone. The Dialysis Center is currently a tenant in this complex. If the property were rezoned, future medical related tenants would be excluded from the zone.

The Wood property, adjacent to and immediately west of I-15 could be negatively impacted by a rezone. A car dealership would be a suitable use in either zone. However, a hotel which would be an allowed use in the C-G zone, would not be permitted in a C-H zone.

The following motions could all be appropriate:

1. Motion to table the item if additional information or consideration is necessary.
2. Motion to recommend the rezone request to City Council of the entire area.
3. Motion to recommend the City Council deny the rezone request.
4. Motion to recommend the rezone request with a boundary different from the one proposed.
 - a. For instance, a recommendation to include only the property owned by Mr. Garner.

The Planning Commission may include any information or rational they would like the City Council to consider as part of their recommendation, but including the rational is not required.

6 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public
7 Notice website and on the West Bountiful City website on March 10, 2017 per state statutory
8 requirement.
9

10 **Minutes of the Planning Commission meeting of West Bountiful City held on**
11 **Tuesday, March 14, 2017 at West Bountiful City Hall, Davis County, Utah.**
12

13 **Those in Attendance:**
14
15

16 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Alan
17 Malan, Mike Cottle, Laura Charchenko, and Kelly Enquist (City
18 Council)
19
20

21 **MEMBERS/STAFF EXCUSED:** Vice Chairman Terry Turner,
22 Corey Sweat (Alternate).
23

24 **STAFF PRESENT:** Ben White (City Engineer), Cathy Brightwell
25 (Recorder) and Debbie McKean (Secretary)
26
27

28 **VISITORS:** Kelly Mecham, Pete Lodder, Becky Ginos, Nikki
29 McKean Alvarado and Mike Alvarado with baby Julian.
30

31 The Planning Commission Meeting was called to order at 7:30 pm. by Chairman Denis
32 Hopkinson. Chairman Denis Hopkinson offered a prayer.
33

34 **1. Accept Agenda**
35

36 Chairman Hopkinson reviewed the agenda. Laura Charchenko moved to accept
37 the agenda with proposed changes. Mike Cottle seconded the motion. Voting was unanimous in
38 favor among members present.
39
40

41 **2. Consider Conditional Use Application for a Deck Within the Rear Setback at**
42 **830 West 1320 North**
43

44 Commissioner packets included a memorandum dated March 14, 2017 from Ben
45 White regarding the Conditional Use Application for a rear deck for Mecham (Lodder Homes) at
46 830 West 1320 North with attached site plans for the dwelling and rear deck.

47 Ben White advised the Commissioners that the Conditional Use Permit
48 application meets the necessary conditions.

49 Chairman Hopkinson reminded the Commissioners of the reasoning behind the
50 regulations of decks. There was discussion about some slight adjustments that will need to be
51 made to be in compliance.
52
53

54 **ACTION TAKEN:**
55

56 *Laura Charchenko moved to approve the Conditional Use Application for a rear*
57 *deck for Kelly Mecham (Lodder Homes) at 830 West 1320 North with the following*
58 *affirmative findings: the proposed use will not be detrimental to the health, safety, or*
59 *general welfare of persons residing in the vicinity, or injurious to property in the*
60 *vicinity, will not inordinately impact schools, utilities, and streets in the area, will*
61 *provide for appropriate buffering of uses and building, and the use of building*
62 *materials which are in harmony with the area and compatible with adjoining uses and*
63 *will comply with the regulations specified in the R1-10 zoning ordinance. The*
64 *following conditions will be imposed: the entire deck will be a least twenty (20) feet*
65 *from the rear property line, it will not encroach more than 200 square feet into the*
66 *setback, the floor of the deck will be no higher than the highest finished floor of the*
67 *main structure, the portion of the deck that extends into the rear yard setback cannot*
68 *be covered, and the railing cannot be more than forty-eight (48) inches high and must*
69 *be less than twenty-five (25) % non-transparent. Mike Cottle the seconded the motion*
70 *and voting was unanimous in favor among those present.*
71
72

73 **3. Consider Conditional Use Application for an Accessory Dwelling Unit (ADU)**
74 **at 1055 West McKean Lane**
75

76 Commissioner packets included a memorandum dated March 14, 2017 from Ben
77 White and Cathy Brightwell regarding a Conditional Use Application for an Accessory Dwelling
78 Unit at 1055 West McKean Lane with attached site plans.

79 Ben White spoke regarding the conditions of this ADU. Chairman Hopkinson
80 spoke to the purpose for applying for an ADU to care for family members. Ben White explained
81 that it must be attached to the main dwelling and look like part of the home. Applicant is in
82 compliance with all the requirements.
83

84 **ACTION TAKEN:**

85 *Alan Malan moved to approve the Accessory Dwelling Unit at 1055 McKean Lane*
86 *for Mike and Nikki Alvarado with the following findings: that the proposed use at the*
87 *particular location is necessary or desirable to provide a service or facility that will*
88 *contribute to the general well-being of the neighborhood and the community; use will not*
89 *be detrimental to the health, safety, or general welfare of persons residing or working in*
90 *the vicinity or injurious to property or improvements in the vicinity and or accompanying*
91 *improvements will not inordinately impact schools, utilities, and streets and the*
92 *conditions to be imposed by the conditional use permit will mitigate the reasonably*
93 *anticipated detrimental effects of the proposed use and accomplish the purpose of this*
94 *subsection of Chapter 17.60. The following conditions will be imposed: applicant will*

95 *obtain a building permit, pass all necessary building code inspections, comply with the*
96 *requirements of WBMC17.82.050 with the current plan being to have the ADU occupied*
97 *by a non-driving family member; should that change, adequate parking will be provided;*
98 *the permit is non transferable so if at any time the home is not occupied by the applicant*
99 *or his immediate family or the applicant sells the property, the permit shall be revoked*
100 *pursuant to 17.60.080, or if the applicant decides to lease the ADU, they will include, in*
101 *any lease document, language that the lease will terminate upon the sale of the property.*

102
103
104
105 **4. Public Hearing to Consider Proposed Changes to WBMC Section 17.88.140,**
106 **Standards for Antennas and Antenna Support Structures Which Allow Increased Height**
107 **for Cell Towers.**

108 **ACTION TAKEN:**

109 **Laura Charchenko moved to open a public hearing for Proposed Changes to**
110 **WBMC Section 17.88.140, Standards for Antennas and Antenna Support Structures**
111 **Which Allow Increased Height for Cell Towers at 7:56 pm. Alan Malan seconded**
112 **the motion and voting was unanimous in favor.**

113 **PUBLIC COMMENT: none**

114 **ACTION TAKEN:**

115 **Mike Cottle moved to close the public hearing at 7:57 pm. Laura Charchenko**
116 **seconded the motion and voting was unanimous in favor.**

117
118 **5. Consider Proposed Changes to WBMC Section 17.88.140, Standards for**
119 **Antennas and Antenna Support Structures.**

120 Commissioner packets included a memorandum dated March 10, 2017 from
121 Duane Huffman and Ben White regarding Cell Phone Tower Height with proposed language
122 changes to the current ordinance and diagrams from Verizon Wireless.

123 Chairman Hopkinson showed an example of a cell tower located in the southwest
124 that was decorated to look like a water tower. He strongly suggested that city council consider
125 asking for something similar that fits with our western way of life.

126 **ACTION TAKEN:**

127 *Laura Charchenko moved to recommend to city council approval of the changes to*
128 *WBMC Section 17.88.140 Standards for Antennas and Antenna Support Structures. Alan*
129 *Malan seconded the motion and voting was unanimous in favor.*

130

131 **6. Public Hearing to Consider Proposed Changes to WBMC Chapter 17.68,**
132 **Planned Unit Developments.**

133 **ACTION TAKEN:**

134 **Laura Charchenko moved to go into a public hearing to hear comment on**
135 **proposed changes to Planned Unit Development (PUD) Ordinance at 8:00 pm.**
136 **Mike Cottle seconded the motion and voting was unanimous in favor.**

137 **PUBLIC COMMENT:** none

138 **Mike Cottle moved to close the public hearing with no public comment at 8:01**
139 **pm. Alan Malan seconded the motion and voting was unanimous in favor.**

140

141 **7. Consider Proposed Changes to WBMC Chapter 17.68, Planned Unit**
142 **Developments.**

143 A short discussion took place regarding the “payment in lieu of” language that
144 had previously been removed from the final draft and whether it was better to be silent on the
145 issue or add language that prohibits it. It was decided to include prohibitive language in the
146 document again.

147 Chairman Hopkinson asked that a clean copy of the approved final draft be sent to
148 the City Council for consideration.

149 **ACTION TAKEN:**

150 *Laura Charchenko moved to recommend to city council approval of the changes to*
151 *WBMC Chapter 17.68 Planned Unit Developments for their consideration including*
152 *adding language that prohibits cash payments in lieu of constructing improvements or*
153 *other requirements as discussed above. Alan Malan seconded the motion and voting was*
154 *unanimous in favor.*

155

156 **8. Public Hearing to Consider Proposed Changes to Construction Standards**
157 **and Specifications Specific to West Bountiful Which Supplement The American Public**
158 **Works Association Specifications.**

159 **ACTION TAKEN:**

160 *Mike Cottle moved to open the public hearing to hear comments on Proposed*
161 *Changes to Construction Standards and Specifications Specific to West Bountiful and*
162 *that supplement The American Public Works Association Specifications at 8:10 pm. Alan*
163 *Malan seconded the motion and voting was unanimous in favor.*

164 **PUBLIC COMMENT:** None

165 *Laura Charchenko moved to close the public hearing with no public comment at 8:11*
166 *pm. Alan Malan seconded the motion and voting was unanimous in favor.*

167

168 **9. Consider Changes to Construction Standards and Specifications for West**
169 **Bountiful.**

170 A short discussion took place regarding the changes and additions made to this
171 document. Commissioners are happy with the final draft.

172 **ACTION TAKEN:**

173 *Alan Malan moved to recommend to city council approval of the changes made to the*
174 *Construction Standards and Specifications specific to West Bountiful City and that*
175 *supplement the American Public Works Association Specifications and forward the*
176 *document to the City Council for their review and approval. Laura Charchenko*
177 *seconded motion and voting was unanimous in favor.*

178

179 **10. Discuss Zoning In The Northwest Section Of City.**

180 Ben White explained that the recent rezone for Hamlet Homes did not include the
181 adjoining lots due to the way the public hearing was noticed. He suggested that it makes sense to
182 include the remaining three lots in a rezone so that the entire area south of Porter Lane is R-1-22.
183 Nobody has requested such at this time, but it could be helpful to them in the future so
184 Commission can either act on it or not.

185 He added that the area to the north is still A-1 and provided a drawing that shows what
186 the area might look like if it also was rezoned to R-1-22.

187 Further discussion on this matter will take place in an upcoming meeting

188

189 **11. Staff Report**

190 **Ben White**

