

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, JUNE 13, 2017 AT THE CITY OFFICES

AGENDA AS FOLLOWS:

Welcome. Prayer/Thought by Invitation

1. Accept Agenda.
2. Consider Conceptual Plan from Onion Patch Securities, LLC., for a Residential Subdivision Designated as High Gate Estates Consisting of 27 – One Acre Lots.
4. Staff Report.
5. Consider Approval of Minutes From May 9, 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 June 9, 2017 by Cathy Brightwell, City Recorder.



MEMORANDUM

TO: Planning Commission

DATE: June 1, 2017

FROM: Ben White

RE: High Gate Subdivision

Onion Patch Securities, LLC, is proposing a 27 - 1 acre lot residential development located between 1100 W and 1450 W south of the Mill Creek canal. The concept plan submittal is an opportunity for the City to provide input to the Developer.

As with nearly all properties left to develop, this property has its own unique challenges.

1. The principal entrance to the development will be off of 1100 West at approximately 100 South. The Development includes a 110 foot by 800 foot strip of land which will be the entry into the development. This entry road will create unbuildable parcels on each side of the road which either will need to be deeded to adjoining property owners or maintained by an HOA. Holly Frontier owns the property to the north and Jack Williams owns the property to the south.
2. The second means of access to the development is the extension of 1450 West St. The developer owns a strip of land along the west boundary of the Millbridge subdivision. However, their land ownership does not line up with the current 1450 West alignment. The Developer's west property boundary is approximately the center of 1450 West. In order for the development to move forward, an acceptable right of way alignment for the 1450 West extension must be secured.
3. A portion of the Mill Creek channel is located within this development. The Developer owns the ground and Davis County has an easement. As the plat is currently drawn, Mill Creek is included within the lots. This means that property owners who own parts of the Mill Creek channel will not have access to portions of their property.
4. The tentative storm drainage plan is to have storm water discharge directly into the Mill Creek channel. The Developer is working with Davis County on the concept right now. Once, the County's requirements/options are clear, the City and Developer will formulate a drainage plan which also meets the City's requirements.
5. The Developer owns a large parcel of land west of this development. A future street is shown adjacent to, and north of lot 25. For lot 25 to be included with this plat, the street right of way would also need to be included. Additional discussion may be merited regarding the timing of the improvements.
6. Lot 27 is a proposed flag lot. It might be possible to have access off the street discussed in item 5, depending on the long term channel alignment. As currently drafted, lot 27 does not meet the city code and cannot be approved. The lot fails to meet city code on multiple counts (1) flag lots are not permitted in subdivisions with more than 4 lots, and (2) flag lots are not permitted where traditional development patterns are available.

7. 1450 West is included to extend south. The proposed right of way includes enough ground to construct the entire street, but not the sidewalk on the west side. Additional discussions regarding the timing of these improvements may also be merited.
8. Jack Williams owns the property to the south of the development. He would like additional roads (the south cul-de-sacs) extended to his property. The City certainly needs to exercise sound land planning practices when considering subdivision applications. The questions in this application include (1) should the city stub street(s) (2) can the city require the streets be stubbed? The city code reads as follows related to block lengths:

16.12.050 Blocks *The maximum length of blocks generally shall be one thousand two hundred (1,200) feet and the minimum length of blocks shall be five hundred (500) feet. In blocks over eight hundred (800) feet in length there may be required a dedicated walkway through the block at approximately the center of the block. Such a walkway shall be not less than ten (10) feet in width. The width of blocks generally shall be sufficient to allow two tiers of lots.*

There is approximately 1300 feet from 1450 West to where the road off 1100 West detours away from the south property line. I have also included a sketch of future potential, logical development patterns to assist with the consideration. There is additional code language directing the Planning Commission regarding recommendations for streets extended to neighboring properties:

16.12.020 Relations To Adjoining Street System

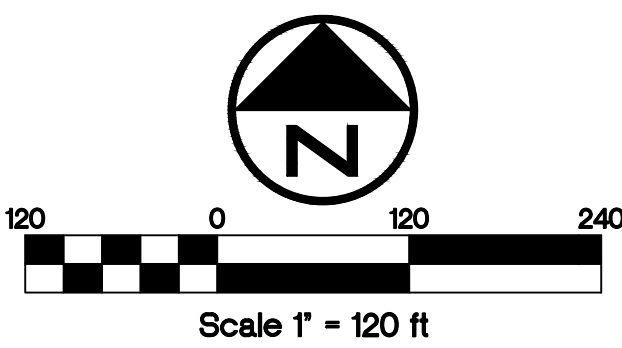
- A. *Streets in proposed subdivisions shall be arranged so as to continue existing streets in adjoining areas or so as to properly protect those streets when adjoining lands are not subdivided. All such streets shall be planned and built at the same or greater width, unless the city grants a variance to this requirement. Such street arrangements shall be made so as not to cause unnecessary hardship to owners of adjoining property when they seek to provide for access to those lands.*
 - B. *When, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication and/or fully improved as the city council may determine, to the boundary of such property. Half streets along the boundary of land proposed for subdivision will not be permitted. Minor streets shall approach the major or collector streets at an angle of not less than eighty (80) degrees.*
9. The Developer has proposed private streets with operable gates for the development. The creation of private streets is contrary to the city code. The code language reads,

16.12.060 Lots

Each lot shall abut on a street dedicated for public use by the subdivision plat or an existing public street which is more than twenty-six (26) feet wide, except that when such existing street is less than fifty (50) feet wide or less than the width requirement of the master street plan, additional land shall be dedicated to widen the street for that portion of the street upon which the subdivision has frontage. The amount of land to be dedicated shall be determined by the planning commission as necessary and reasonable to satisfy the requirements of one-half of that required width or fifty (50) feet, whichever is greater.

HIGHGATE ESTATES

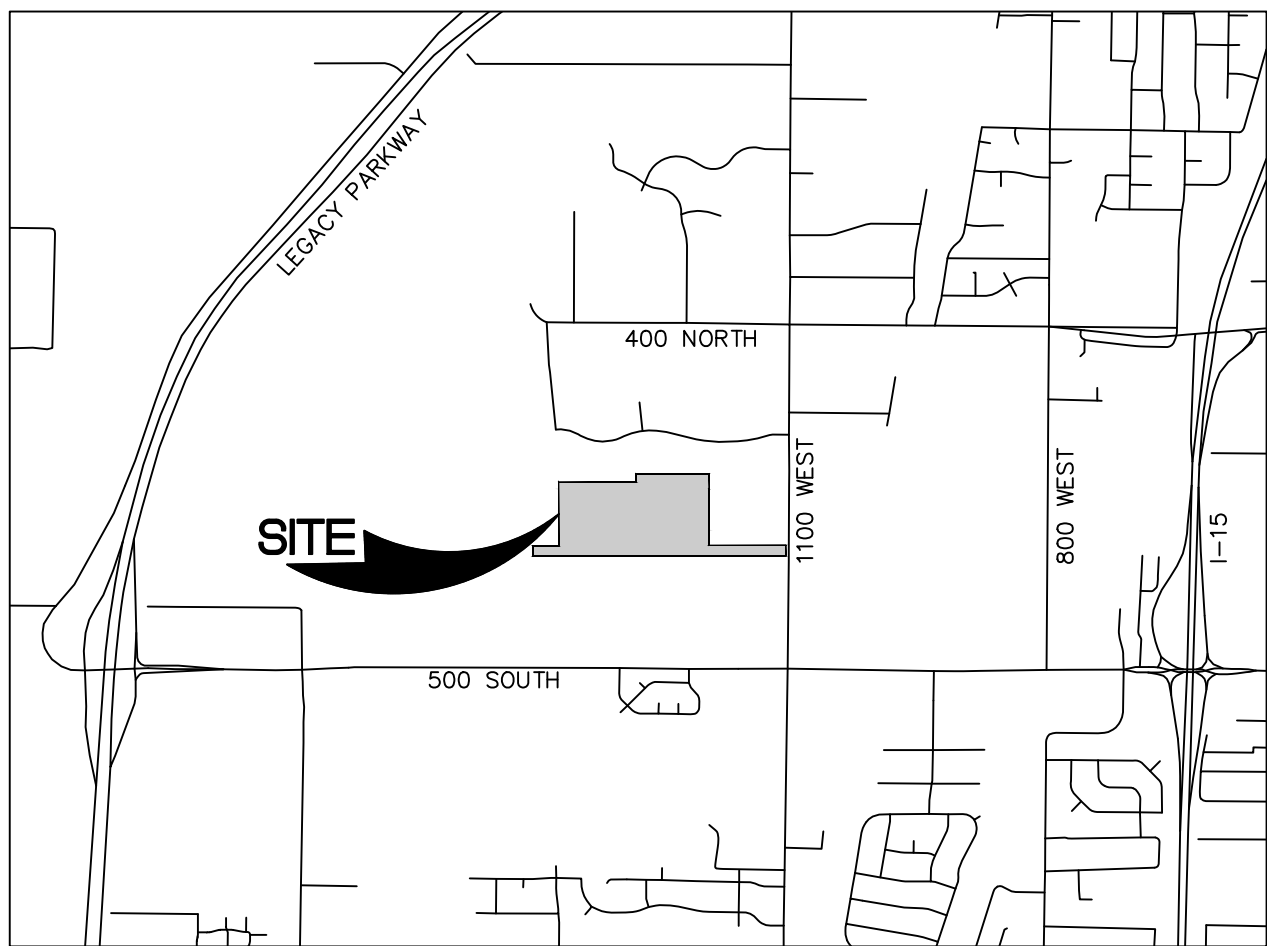
CONCEPT PLAN



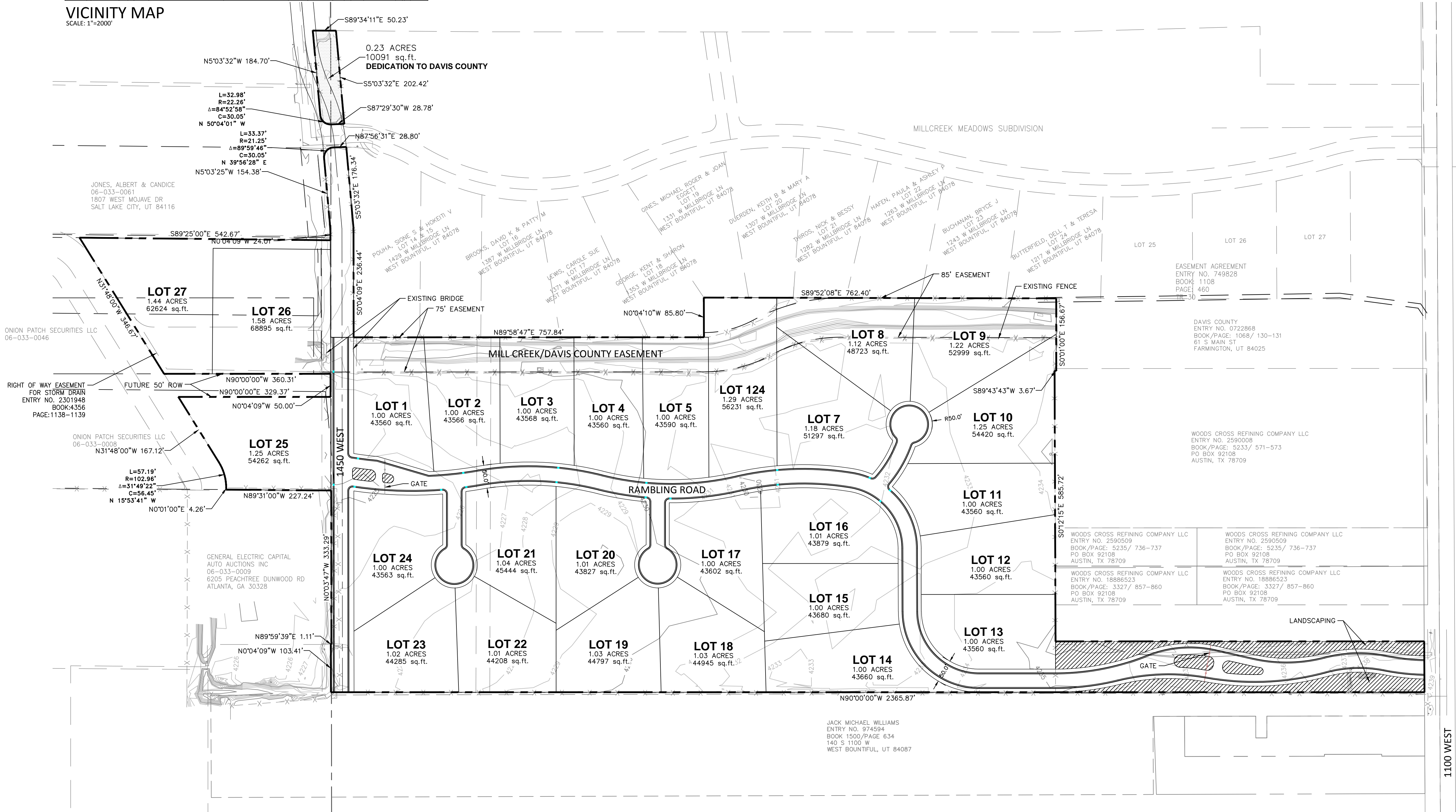
14721 SOUTH HERITAGE CREST WAY
BLUFFDALE, UTAH 84065
801.553.8112
WWW.WILDINGENGINEERING.COM

DEVELOPER/OWNER:
NAME: ONION PATCH SECURITIES, LLC
CONTACT: TODD WILLEY / JAY GOUGH
ADDRESS: 1403 SOUTH 600 WEST, SUITE 1
WOODS CROSS, UTAH 84010
PHONE: 801-548-2817

TOTAL ACREAGE: 36.11
TOTAL LOTS: 27
LOTS PER ACRE: 0.75



VICINITY MAP
SCALE: 1"=2000'



C:\Users\kclinton\appdata\local\temp\AcPublish_6772\17055 Concept.dwg
PLOT DATE: Jun 01, 2017

1	REVISE LOTS 25-27, REVISE 1450 WEST ALIGNMENT	06/01/17
NO.	REVISION	DATE

PROJECT INFORMATION

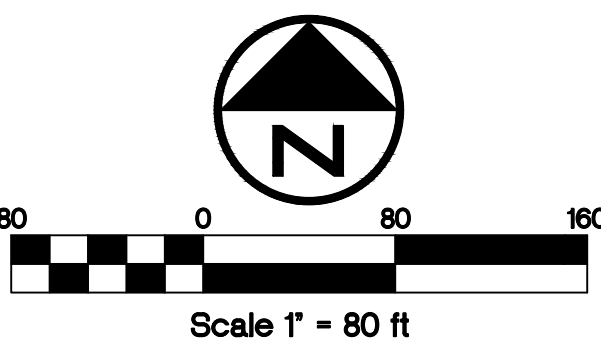
HIGHGATE ESTATES
CONCEPT PLAN

WEST BOUNTIFUL, UTAH

DRAWN KMD	CHECKED DPW	PROJECT # 17055
DATE 05/30/2017		
SCALE 1" = 120'		
SHEET C101		
ENGINEER'S STAMP		

HIGHGATE ESTATES

CONCEPT PLAN

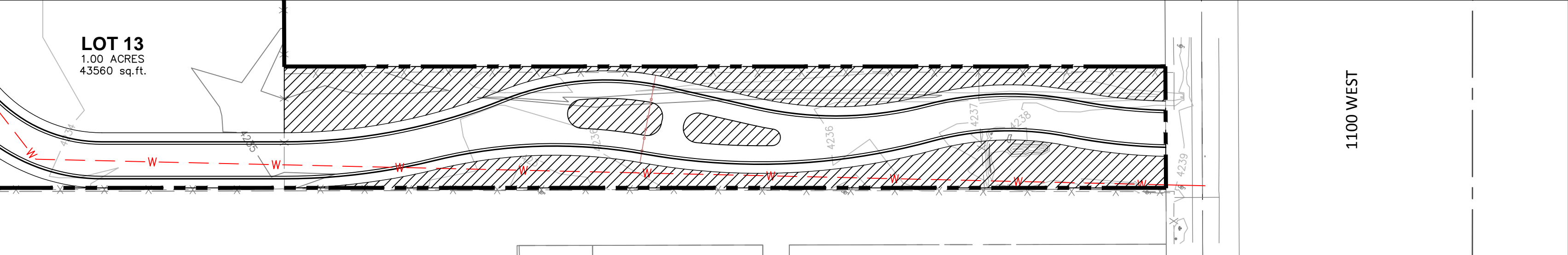
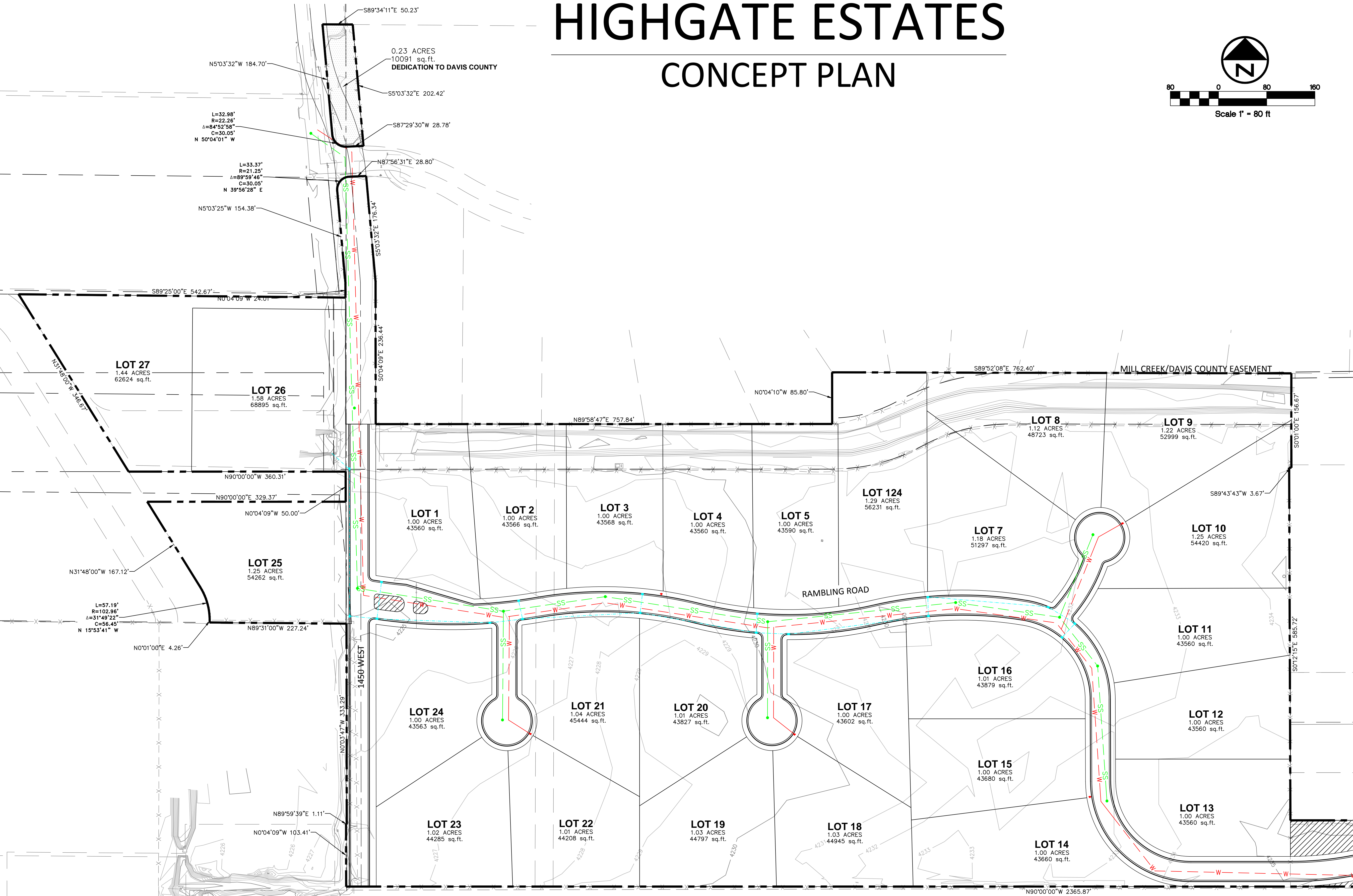


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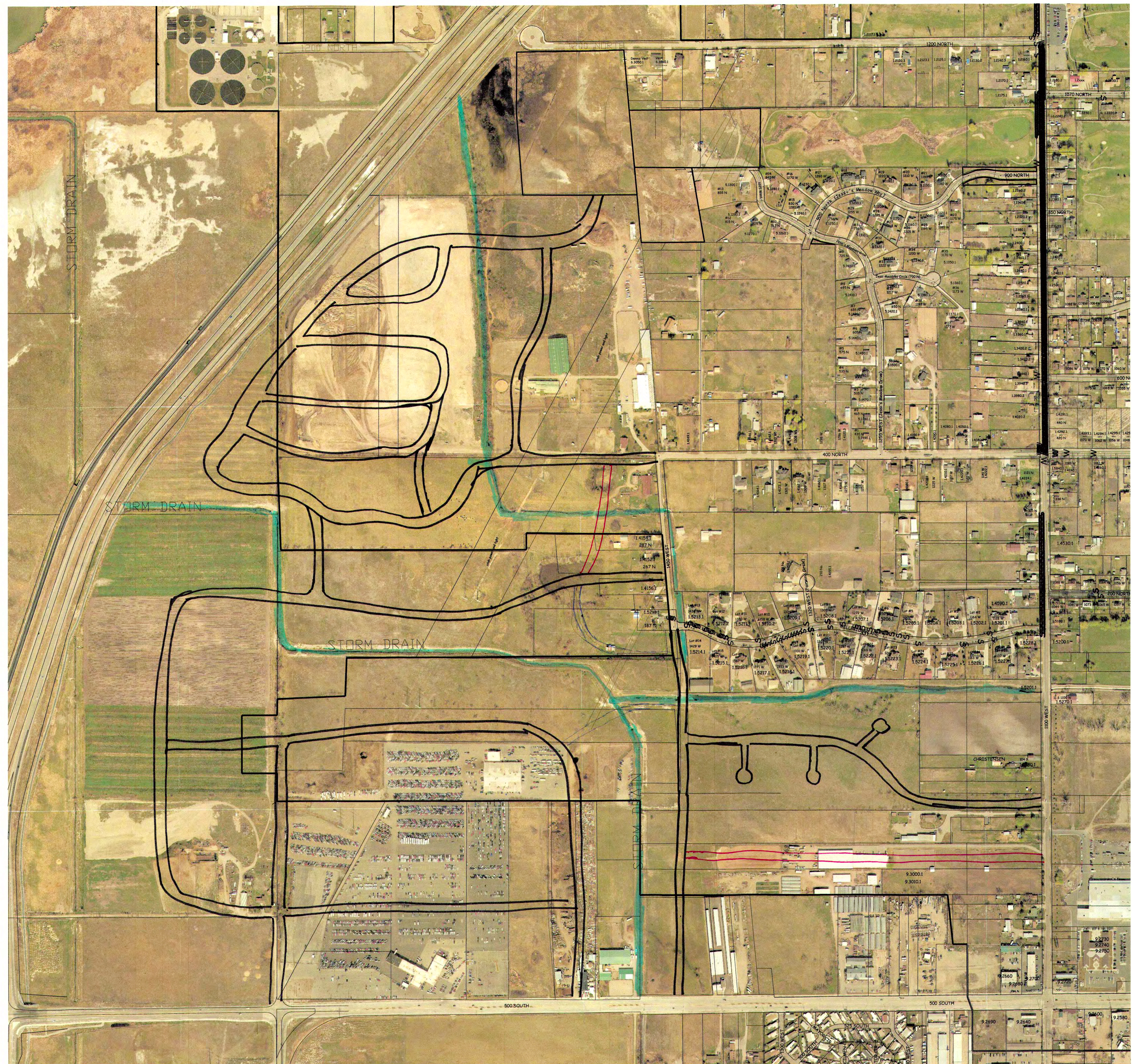
PROJECT INFORMATION

HIGHGATE ESTATES
CONCEPT PLAN

WEST BOUNTIFUL, UTAH

DRAWN KMD	CHECKED DPW	PROJECT # 17055
DATE 05/30/2017		SCALE 1" = 80'
SHEET C102		ENGINEER'S STAMP

C:\Users\klexon\appdata\local\temp\AcPublish_6772\17055 Concept.dwg
PLOT DATE: Jun 01, 2017



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

PENDING

May 09, 2017

3
4
5 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice
6 website and on the West Bountiful City website on May 08, 2017 per state statutory requirement.
7

8 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, May**
9 **09, 2017 at West Bountiful City Hall, Davis County, Utah.**
10

11 **Those in Attendance:**
12

13 **MEMBERS PRESENT:** Alan Malan, Mike Cottle, Laura
14 Charchenko, Corey Sweat (Alternate) and Kelly Enquist (City
15 Council)
16

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

20 **MEMBERS/STAFF EXCUSED:** Chairman Denis Hopkinson
21 and Vice Chairman Terry Turner
22

23 **VISITORS:** Lanita Rodabough, Lolinne Bangerter, Bryce
24 Bangerter, Dean Chadwick, Megan Anderson, Rodney Anderson.
25

26 The Planning Commission Meeting was called to order at 7:30 pm by Laura Charchenko.
27 Corey Sweat offered a prayer.
28

29 **1. Accept Agenda**
30

31 Laura Charchenko reviewed the agenda changing items 2 to 2-a and 2-b. Corey Sweat
32 moved to accept the agenda with proposed changes. Mike Cottle seconded the motion. Voting
33 was unanimous in favor among members present.
34

35 **2-a. Consider Request for Conditional Use Permit From Matthew and Lanita**
36 **Rodabough at 1258 North 725 West for Reduced Points for Chickens.**
37

38 Commissioner packets included a memorandum from Cathy Brightwell dated May 5,
39 2017 regarding a **Request for Conditional Use Permit From Matthew and Lanita**
40 **Rodabough at 1258 N 725 West for Reduced Points for Chickens** with an application for a
41 Farm Animal Conditional Use Permit Application from 20 points to 40 points and a site plan for
42 where the chicken coop will be in their backyard.
43

44 Cathy Brightwell introduced the application. The property at 1258 N 725 West consists
45 of .203 acres which gives the applicants 20 points for animals. Mr. and Mrs. Rodabough would
46 like to increase the current points to 40 allowed by Conditional Use which would allow them 10
47 chickens instead of 5. Setbacks for the chicken coop meet city code. All adjoining neighbors

have been notified. Ms. Brightwell noted that if approved, the Conditional Use Permit expires with the sale of the property.

ACTION TAKEN:

Corey Sweat moved to approve the conditional use permit for Matthew and Lanita Rodabough at 1258 North 725 West with the following conditions: the permit will expire upon the sale of the property; the chicken coop/run will be located a minimum of 6 feet from any property line or dwelling; to protect the health, safety and welfare of the animals and the public, animal waste, debris, noise, odor, and drainage shall be kept in accordance with usual and customary health standards associated with chickens; and failure to comply with these regulations will invalidate the permit. In addition, the Commission finds that 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 community and 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. Alan Malan seconded the motion and voting was unanimous in favor.

2-b. Consider Request for Conditional Use Permit from Megan Anderson at 850 West 600 North for a Day Care.

Commissioner packets included a memorandum from Cathy Brightwell and Ben White dated May 5, 2017 regarding a proposed daycare service at 850 West 600 North with attached application, site plan, fire inspection certificate and letter. Surrounding neighbors have been notified.

Cathy Brightwell directed the Commissioners to a map showing the property in discussion this evening. A similar filing was previously made in 2014 and was denied because fire access issues could not be resolved. The owner has been working hard to come into compliance and has now done so. The fire department has issued a Certificate of Fire Clearance, with conditions. The 16.5 ft. wide driveway from the east, which is owned by the Anderson's was approved for fire truck access. Fire hydrants are less than 600 feet from the home and can be accessed from either 900 West or 800 West.

Mrs. Anderson has received her child care license from the State and has met all requirements, as well as passing County Health Department inspections. There is a swimming pool on property which is fenced in, but does not currently have a self-closing, self-latching gate.

Commissioners made the following comments.

Mike Cottle: Concerned about the pool being secured and as long as all safety conditions are met he has no problem issuing the permit.

Corey Sweat: Noted that proposed condition six which suggests parents enter from 800 W and exit to 900 W should be stricken as the Anderson's do not own the driveway to the west.

Alan Malan: Pointed out that the house address sign required by the fire department on 800 West needs to be of a reflective material. He was also concerned about parking and egress and ingress and parking in the drive way.

Laura Charchenko: Concurred with all Commissioner comments.

Mr. Anderson took the stand and informed the Commissioners that Megan is planning on picking up the kids therefore traffic should not be a problem. They said there could be 4 to 5 children at the most at a time. Alan Malan reiterated that there can be no parking in the driveway during business hours.

Mr. Dean Chadwick at 841 W Heritage Circle took the stand and expressed his concerns about the odors that come from the Anderson's septic tank. His property abuts the Anderson property and they frequently get strong odors from the septic tank. They are concerned that the frequency and level of the odors will increase with this new business. They would like the system inspected and sewer connected before issuing the Permit. Mr. White informed Mr. Chadwick that the property owner must come into compliance with municipal code WBMC 13.16.010 regarding public sewer which requires them to be connected to the public sewer system and Staff will deal with this situation as a separate issue. Mr. Anderson seemed unaware of the problem.

ACTION TAKEN:

Corey Sweat moved to approve the Conditional Use Permit for Megan and Rodney Anderson at 850 W 600 North for a daycare center with the following finding: that 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 and will comply with the regulations and conditions specified in the land use ordinance for such use, and that conditions that are imposed in the conditional use permit will mitigate the reasonably anticipated detrimental effects of the proposed use and accomplish the purposes of this subsection. The following conditions are attached to this conditional use permit: 1) trees along the driveway must be maintained at least 13.5 ft above the road, 2) the driveway is to be kept clear and no parking is allowed along either side of the driveway, snow must be removed in the winter, 3) if a gate is to be installed it must be kept unlocked or a Knox padlock is to be supplied by the owner and a key given to the South Davis Metro Fire Agency, 4) a reflective address sign with numbers/letters a minimum of 4" in height and 1" stroke, will be installed and maintained on 800 West showing the location of the home/daycare, 5) the pool area will meet the requirements of WBMC 17.76.020 including being completely surrounded by a fence or wall having a height of at least 6 feet around the pool with a self closing, self-latching device on the gate and the gate will be securely locked when the pool is not used by persons invited by the owner, 6) no external signage will be used for the pre-school, 7) persons who are not a resident of the dwelling shall not be employed to work on the premises, 8) surrounding neighbors will be notified of the requested use, and 9) a copy of the applicant's state daycare license will be provided to the City with each renewal. Alan Malan seconded the motion and voting was unanimous in favor.

3. Discuss Possible Ordinance Changes –

Ben White brought several issues to the Commission for their consideration and possible future discussion for possible ordinance changes. The first was for hauling throughout the City. The current ordinance allows hauling by any truck authorized to drive on the street, except that

there are some restrictions on what they can haul, e.g., hazardous materials, etc. Should we consider additional restrictions?

Mr. White also informed them that AirBnB's are becoming more popular in today's society. He feels the issue and its impact to the City may be worth discussing before there are very many of these in place in West Bountiful. He currently knows of a few in our City at present. Mr. White stated it may not be an issue but it is good to think about since it may have an impact in our City at sometime in the future.

4. Staff Report

a. City Council Actions Update- Ben White

- PUD Ordinance was passed by City Council as recommended by planning commission without any changes.
- Landmark Design, a landscape architect firm, was hired to come up with proposals for Recreation, Arts, and Parks planning including public participation to help prioritize needs for RAP spending.

b. Miscellaneous – Cathy Brightwell

- The City Council authorized new audio/video system upgrades. She noted several of the improvements they can expect to see in the near future.

5. Approval of Minutes dated April 25, 2017

ACTION TAKEN:

Corey Sweat moved to approve of the minutes of the April 25, 2017 meeting as presented. Alan Malan seconded the motion and voting was unanimous in favor.

6. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:00 pm. Mike Cottle seconded the motion. Voting was unanimous in favor.

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The foregoing was approved by the West Bountiful City Planning Commission on June 13, 2017, by unanimous vote of all members present.

Cathy Brightwell – City Recorder