THE WEST BOUNTIFUL PLANNING COMMISSION

WILL HOLD A REGULAR MEETING AT 7:30 PM ON TUESDAY, JULY 25, 2017 AT THE CITY OFFICES

AGENDA AS FOLLOWS:

Welcome. Prayer/Thought by Invitation
1. Accept Agenda.
2. Discuss Application for Planned Unit Development from Hamlet Homes for Kinross Estates at 940 W Porter Lane.
4. Staff Report.
5. Consider Approval of Minutes From June 27, 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 July 21, 2017 by Cathy Brightwell, City Recorder.
MEMORANDUM

TO: Planning Commission

DATE: July 20, 2017

FROM: Ben White

RE: Kinross Estates PUD Application

Hamlet Homes has submitted a request for a PUD rezone for the 23 acre property located on the southeast corner of 1100 West Porter Lane. Submitted with the PUD Rezone Application is a property and project description, development concept plan, typical house designs, drainage information, preliminary wetland study, soils report, information regarding soil and groundwater contamination, and a base density plan.

A PUD rezone request follows a similar procedure to a traditional rezone consideration. A public hearing will be required prior to the Planning Commission making a recommendation to City Council. However, unlike a traditional rezone request, a PUD application will contain conditions and requirements such as lot sizes, setbacks, public amenities, density bonuses and open space maintenance.

1. Flexibility. Flexibility is the primary reason the Developer is requesting the PUD. Utility easements and other property constraints are challenging for the development. Also, the open space along 1100 West is thought to contribute to the rural feel of the community.

2. Bonus Density. The Base Density Plan for the property which conforms to the underlying R-1-22 zoning yields 34 lots. Each of the lots contain building pad, not encumbered by an easement or contaminated ground, of at least 30 feet by 50 feet. The proposed PUD development includes 35 lots which is a 3% bonus.

3. Layout. The street layout conforms to the City’s design requirements with 50 foot typical street rights of way.
   - The temporary dead end cul-de-sacs conform to the maximum length requirement. The easterly cul-de-sac needs to be extended to the property boundary.
   - Curb and sidewalk are not proposed for 1100 West and some of Porter Lane. This is a topic for Planning Commission’s discussion.
   - Better identification of the existing street rights-of-way is also needed.

4. House Design. The developer is proposing multiple house plans that can meet the PUD requirements for house designs and material selections.

5. Parking. Proposed parking requirements appear to meet PUD requirements with minimum 2 car garages and driveway parking.
6. Trail Connections. There is a Legacy Parkway trailhead across 1100 West from this development.
   - Pedestrian access along 1100 West should be provided to meet this requirement.

7. Open Space Maintenance. Project CCRs need to be submitted which include the maintenance proposal for the open space.

8. Wetlands. A preliminary wetland report has been submitted. There two areas identified as potential wetlands. Their locations are shown on the Overall Grading and Drainage Plan.

9. Soils Report. The soils report does not identify any significant anomalies with the property. The ground water was measured as four feet below ground in July 2017. This does not relate to the highest expected ground water elevation. In many cases, the groundwater elevation will be immaterial due to the minimum elevation permitted for homes to be constructed and the elevations of existing drainage facilities.

10. Drainage. The proposal includes a storm drain pipe system for the interior streets and a storm detention basin. There is still a lot of work remaining related to drainage.
    - There is a 36” diameter pipe coming west from 800 West which conveys over 20 CFS of storm water. The storm drain pipe in Porter Lane must accommodate that flow as well as additional flows generated along Porter Lane east of this development.
    - There is a single storm drain pipe under Legacy Highway without sufficient capacity for current flows and this development. The storm drainage outflow is a significant concern to staff and needs additional study.
    - All residential properties with an average slope of less than 2% need to include rear yard drainage.
    - Maintenance of the open space and its relation to storm drainage needs to be more fully addressed.

11. Environmental Contamination. A pipeline leak was discovered in 1991 which leaked gasoline and diesel fuel. Product recovery followed by remediation efforts have been underway since. The attached drawings identify what is believed to be the limits of the current contamination. Benzene is the most prominent remaining contaminant. Benzene is a high volatile by-product of gasoline. It is also a known carcinogen. The Developer is proposing to conduct additional studies beginning later this month. The attached drawing labeled “Update Sample Locations” identify the locations when samples are proposed to be taken. Staff is suggesting a report written in lay terms be prepared which include:
    - A history of where and how the contamination occurred along with a description of the contaminants
    - A history of where and how the contamination spread moved and/or contracted.
    - A description of known contaminants and their health risks and typical ways persons are exposed
    - A history of past remediation efforts, current efforts, future efforts including schedules and expectations of success
    - Sign off by the Utah Division of Environmental Quality

550 North 800 West, West Bountiful, UT 84087  (801) 292-4486
APPLICATION FOR
PLANNED UNIT
DEVELOPMENT
(PUD-REZONE)

DATE: 7/14/17

SUBDIVISION NAME: Kinross Estates

SUBDIVISION LOCATION: 940 W Porter Lane, West Bountiful

PARCEL NUMBER: 06-011-0147, 06-011-0105 ZONE: R-1-22 SIZE OF PARCEL: 23.01

Property Owner(s): THE THOMAS & JEANETTE WILLIAMS FAMILY TRUST

Developer: Hamlet Development

Address: 308 E 4500 S, STE 200, Salt Lake City, UT

Primary phone (1): 8015069621 Phone (2): 8015069621

E-mail address: Zachary@hamlethomes.com, Michael@hamlethomes.com

Property Owner’s Statement:

PLEASE SEE ATTACHED AFFIDAVIT

I (We), the owner(s) of the above described parcel(s) hereby authorize ________________ the Developer, to act for and on behalf of the Owner(s) in all appearances before the public bodies, agencies or representatives necessary to execute the purpose of subdividing the property.

See Attached Affidavit

Property Owner Signature

THIS APPLICATION IS CONSIDERED COMPLETE WHEN THE REQUIREMENTS OF WBMC 17.68 ARE MET.

Application Received: 7/14/17

PUD Fee ($150) paid: 7/14/17

Planning Commission Recommended Approval: ___________________________ City Council Approval: ___________________________

Updated July 2017
Property Owners Affidavit

I (we) ________________________________, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Owner’s Signature

Co-Owner’s Signature (if any)

State of Utah §

County of Salt Lake

Subscribed and sworn to before me this __________ day of _____________________, 20______.

Notary Public
Residing in
My commission expires: __________

Agent Authorization

I (we) ________________________________, the owner(s) of the real property located at approximately 940 W porter Lane, in West Bountiful, Utah (Parcel Number 06-011-0147, 06-011-0105) do hereby appoint Hamlet Development Corp., Michael Brodsky as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize Hamlet Development Corp., Michael Brodsky to appear on my (our) behalf before any West Bountiful City board or commission considering this application.

Owner’s Signature

Co-Owner’s Signature (if any)

State of Idaho §

County of Salt Lake

On the __________ day of ________________, 20______, personally appeared before me

STEVEN LARRY WILLIAMS

the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.

Notary Public
Residing in 1635 NEWTON MTN HOME, ID 83647
My commission expires: 01/09/2020

SHANANDA M PENDLETON
Notary Public
State of Idaho
Kinross Estates
Development Plan

HAMLET DEVELOPMENT
July 14th, 2017

PUD Development Plan Submittal
Kinross Estates by Hamlet Development
Residential Land Use
23.01 Acres Zoned R-1-22
940 Porter Lane, West Bountiful, UT

• **Written Description of Subject Property**
  Kinross Estates is a 23.01-acre community located at 940 W Porter Lane and will contain 35 single family detached lots. The Property is zoned R-1-22 and is designed to a density of 1.52 Lots per acre. The theme and feel of Kinross Estates is intended to be consistent with West Bountiful and maintain a rural feel. Furthermore, by landscaping all of the homes front and side yards and streetscapes, Kinross Estates will have a warm cohesive community feel. The CC+Rs for the community will provide requirements for the homeowners to properly maintain their home sites. Entrance monuments will be placed at both entrances to the community to create a welcoming and upscale feel for its new residents.
  In maintaining the rural feel of the neighborhood, the westerly four acres of the property will be maintained for agricultural use either as farm land or pastures and will be offered for sale to the adjacent lot owners or to individuals. This condition will be included in the CC+Rs. This community will have only one phase. The Property to the north is currently residential zoned A-1. To the west of the Property lies the Legacy Parkway. The south and east side of the community is undeveloped land currently zoned R-1-22.

• **Conceptual Development Plan**
  Please see attached Improvement Plans.

• **Conceptual Building Elevations and Materials**
  Please see attached conceptual renderings for Kinross Estates.

• **Proposed Street Cross Sections**
  Please see Improvement Plans.

• **Recreational Amenities**
  Kinross Estates will have a trail head into the Legacy Trail Head on Porter Lane.

• **Flexibility Being Requested**
  The density we are proposing is consistent with the current R-1-22 Zone. The flexibility we are requesting is to permit a large open pasture to buffer Legacy Highway and the power line corridor consequently creating smaller lots than ½ acre while still staying well below the permitted density. The four acres of the Property bordering Legacy Highway are designed to remain as open pastures for agricultural use in order to maintain the rural feel of West Bountiful along the Legacy Highway.
The property contains approximately 2 acres that has been identified as impacted by the underground fuel leak that occurred approximately 27 years ago. Working with DEQ, Tesoro and Chris Nolan (our environmental consultant with Wasatch Environmental), we’ve isolated the area that is currently impacted. The impacted property is divided into 2 lots that will not be built upon until Tesoro has completed their cleanup of this to residential standards. Tesoro has been actively monitoring and cleaning the site over the last few years. The two lots will remain in ownership with the current landowner, The Williams Family, until such time as it has been cleaned to residential standards. The total acreage of the total impacted area included in the 2 lots is 3.187 acres. The PUD Designation has provided us the flexibility to accomplish this.

- **Conceptual Improvement Plan**
  Please see attached Improvement Plan.

- **Development Agreement Draft**
  Will be developed as the entitlement process unfolds.

- **Project Expectations**
  Each home will provide a minimum of four parking spaces (two in the garage and two in the driveway.) Hamlet Homes will be offering a range of different house styles. The choice on each lot will be market driven by our customer’s choices. No two homes with the same elevations will be built next to each other. In addition to the plans we are submitting with this package, we intend to develop more home plans that will be similar in style and in architecture. Materials used on the homes will comply with West Bountiful requirements. Living area square footage will range from approx. 2400 square feet to approx. 4200 square feet. Please see attached renderings of homes that will be similar to what we will build in Kinross Estates.

- **Project Considerations**
  Hamlet Homes will be the builder and each lot sold is to be maintained by the individual that purchases the home. The four acres of the Property bordering Legacy Highway are designed to remain as open pastures for agricultural use in order to maintain the rural feel of West Bountiful along the Legacy Highway. Kinross Estates will have a trail head connection via sidewalk to the Legacy Trail Head on Porter Lane. Entrance monuments will be placed at both entrances to the community to create a welcoming and upscale feel for its new residents.
Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, 
June 27, 2017 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Alan Malan, 
Corey Sweat (Alternate) and Mark Preece (Councilmember)

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

MEMBERS/STAFF EXCUSED: Vice Chairman Terry Turner, Mike 
Cottle, Laura Charchenko, Kelly Enquist (City Council)

VISITORS: Daniel Thurgood, Kim McKean, Phil Holland.

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

1. Accept Agenda

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

2. Consider Request for Conditional Use Permit for Topline Sales, LLC, to Sell 
Classic and Exotic Cars at 1125 West 500 South

Commissioner packets included a memorandum from Ben White for the June 27, 2017 
meeting with attached Conditional Use Permit Application from Jeremy Manning and site plan.

Cathy Brightwell introduced the application for a Conditional Use Permit for Topline 
Sales, LLC, to Sell Classic and Exotic Cars at 1125 West 500 South, for Jeremy Manning. Staff 
has reviewed the application and finds no problems with it. Mr. Jeremy Manning was called to 
stand by Chairman Hopkinson. Mr. Manning introduced himself and his reason for moving his 
business to West Bountiful.

Alan Malan asked how much parking would be available. Mr. Manning stated there is 
customer parking available in front of the building but not much need for parking as a lot of 
business is done online. Cars will come in and out quickly. Some trailers they sell will be parked 
out in the back of the facility.
ACTION TAKEN:

Alan Malan moved to accept the Conditional Use Permit for Topline Sales, LLC, to Sell Classic and Exotic Cars at 1125 West 500 South for Jeremy Manning with the following terms and findings: 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; 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; will not inordinately impact schools, utilities, and streets; will provide for appropriate buffering of uses and buildings, proper parking and traffic circulation, and use of building materials and landscaping which are in harmony with the area, and compatibility with adjoining uses; will comply with the regulations and conditions specified in the land use ordinance for such use; will conform to the intent of the city’s general plan and the conditions to be imposed in the conditional use permit; and will mitigate the reasonably anticipated detrimental effects of the proposed use. Conditions to be imposed include: copy of Dealer’s license and Proof of Insurance; Fire Inspection approval; signage will comply with City Code; Vehicles on display will be operable and in sellable condition; and upon issuance of the Permit, Topline Sales, LLC will purchase a West Bountiful City business license. Corey Sweat seconded the motion and voting was unanimous in favor among members present.

3. Consider Request for Conditional Use Permit for Verizon Wireless to Construct an Unmanned Telecommunication Facility


Duane Huffman took the stand to introduce the Conditional Use Permit for Verizon Wireless. He informed the Commission that a Conditional Use Permit is needed in order to lease the property to Verizon for their tower. Everything in the memorandum is forthright, but per our City Code, we are required to choose a color for the tower. He invited questions from the Commissioners.

Denis Hopkinson asked about the design of the structure and how it will be disguised. Mr. Huffman answered that due to the surrounding power poles in the area he felt it would fit in well as is. Mr. Huffman suggested that the color chosen for the tower be a natural color that would blend with the area. He informed them that the square pad will be 50 x 50 with the equipment fitting within that space.

Chairman Hopkinson asked if multiple carriers will be able to use the tower. Mr. Huffman answered to the positive. The tower is available to be leased from other providers.

Daniel Thurgood, Verizon representative was invited to take the stand. He stated that they prefer to stay with the galvanized pole but powder coating could be done if they choose a color this evening.
Some discussion took place between Staff and Commissioners as to the desired color for the tower. It was decided to use gray tones of powder coating in matte finish. Staff will work with the representatives to choose the standardized gray color to be used.

**ACTION TAKEN:**

*Corey Sweat moved to approve the Conditional Use Permit for Verizon Wireless Telecommunications Tower on Lot A of the Jessi’s Meadows Subdivision with the following findings and conditions: The proposed use is necessary or desirable to provide a service or facility that will contribute to the well-being of the neighborhood and 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; use and/or accompanying improvements will not inordinately impact schools, utilities, and streets; will provide buffering of uses and buildings; proper parking and traffic circulation, building materials and landscaping are in harmony with the area and adjoining uses; will comply with the regulation and conditions specified in the land use ordinance and will conform to the intent of the City’s general plan. In addition per City Code 17.88.140C.3, the material, gating, poles and other material to be in a grey tone satin or matte. Alan Malan seconded the motion and voting was unanimous among those members present.*

4. Consider Conceptual Plan from Wright Development Group, for Residential Subdivision Designated as McKean Estates Consisting of 13 Lots in the R-1-10 District.

Ben White introduced Wright Development and noted that the discussion tonight does not pertain to the two existing homes on the McKean Estate property. He described the origin of the property and how the lots will be laid out throughout the property. He explained dimensions of the park strips along 800 West and noted that the majority of 800 West has an 8 foot wide park strip with a 5 foot sidewalk. There is no curb and gutter along that area of 800 West.

There is a storm drain on 800 West and Staff will address any drainage issues with the developer to insure the best results for drainage are obtained. Staff believes that the city would be better served with a dead end road knuckle instead of a culvert. Corey Sweat asked about the detention in the corner. Ben responded that there is not a good place in the city to take care of storm water. This project will move its water to the west and the details will be worked out through the development and engineering process. Likely the water will drain to the golf course area. Currently the water flows through a pipe to the west into the golf course. Mr. White did not know of a better place the water could be moved. Staff will make sure drainage works best for both City and Developer. Mr. White informed the Commission that there needs to be a boundary lot agreement with Steed’s before the preliminary plan.

Phil Holland with Wright Development took the stand. He feels very fortunate to be able to build a development in our City. Chairman Hopkinson reminded Commissioners that this is Conception plan only. It is a time to give direction not approval. Chairman Hopkinson cautioned the developer to know the details concerning the Storm Drain issues. Ben White invited Phil Holland to come and discuss the options before the preliminary concept is presented. Mr. White noted that a Public Hearing will be set as soon as all the information is in line. Chairman Hopkinson was not sure if an 8 foot park strip is necessary. He did not like the
knuckle for a turn around. Public Hearing needs to be set for both the subdivision and the rezone of the Historic Overlay.

5. Discuss Application from Wright Development Group to Remove a Portion of Proposed McKean estates from the Historical Overlay District.

Ben White informed staff that there is a request from the developer to remove the balance of the subdivision from the Historic District Overlay. The house on 800 West will remain in the Historic Overlay.

Chairman Hopkinson noted that the design of the Historic Overlay district went around the town homes, the Jones home and the existing McKean homes. Mr. Hopkinson expressed his dismay with the Historic Overlay district and the way it was decided. He noted that most property owners did not want to be part of that District. Only three property owners were in favor and they were on the Historic Commission.

Chairman Hopkinson stated that this issue needs to be addressed sooner than later. He suggested to take the whole piece out of the overlay. Ben White pointed out that the whole district should be addressed as it will continue to come up time after time.

Alan Malan was invited to address his thoughts regarding this district as he has served on the Historic Commission. He explained the state and federal code regarding the Historical District. He stated that if the property is taken out of the Historic District the whole thing is taken out. Property, wells, homes, etc. are all inclusive to the District. He suggested that we look at taking it out of the National Registry. Ben White will do some research and get back to the Commissioners. Corey Sweat is in favor of taking any unnecessary restriction off for any property owners.

Some discussion took place regarding recent legislation that has been passed in regards to these types of districts.

Chairman Hopkinson is in favor of keeping those things along 800 West as Historic, but those behind 800 West do not make sense to remain in the Historic District.

6. Staff Report

Ben White

- Review Construction Standards & Set Public Hearing- Ben White informed the Commission that we need to look at some code changes while drafting an ordinance for our Construction Standards. A geo technical engineer was hired last year to look at our road structures. We are now stiffening up our road design. Staff has noticed that the soil moves as they have been doing road construction in our City. They will try increase the depth of asphalt by 1 inch and create a more solid base and use a heavy felt like fabric that will allow water to move but not soil. Cost upfront will be more but in the long run it will save the City money.

- No City Council will be held next week due to July 4th.

- Overlay work will be taking place the week after the 4th of July.

- Questar construction is going to be accelerated in the next few weeks. They will be opening up some roads but Staff has requested that they close only one road at a time.

- High Gate Homes will come before us in the near future. He believes they have abandoned the idea of private roads.
• Hamlet Homes is still keeping in contact regarding the property on 2200 West. He expect they will be coming back to the City in the near future.

• Ovation Homes will complete sewer this week and begin cutting asphalt next week and water and storm drain will follow before any other utilities are put in place. Letters were sent to surrounding residence to invite them to tie into the storm drain connection. Several have already called and desire to participate.

• West Side drainage issue 1450 West 500 North has had more flooding than normal. Not sure if something is clogging the pipes.

Cathy Brightwell

• Gary Merrell has withdrawn from the City Council Election so there will be no Primary necessary. Meet your candidate night will be held in October.

• Audio and Sound system is coming along very well.

• 4th of July Shirts are in the Office to be picked up.

7. Consider Approval of Minutes from June 13, 2017

Corey Sweat moved to approve of the minutes of the June 13, 2017 meeting as presented. Alan Malan seconded the motion and voting was unanimous in favor.

8. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:43 pm. Corey Sweat seconded the motion. Voting was unanimous in favor.

The foregoing was approved by the West Bountiful City Planning Commission on July 25, 2017, by unanimous vote of all members present.

____________________________________________
Cathy Brightwell – City Recorder