

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
Corey Sweat

AMENDED

THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD A MEETING BEGINNING AT 7:30 PM ON TUESDAY, DECEMBER 12, 2017 AT THE CITY OFFICES

Welcome. Prayer/Thought by Invitation

1. Accept agenda.
2. Consider Conditional Use Application for Axis Driveline & Drivetrain, LLC., at 847 W 500 South.
3. Consider Conditional Use Application for an Accessory Dwelling Unit for Al Jones at 161 N 1450 West.
4. Consider Preliminary Plat for High Gate Estates at 1100 West and 100 North.
5. *Consider Planned Unit Development for Kinross Estates at Porter Lane and 1100 West by Hamlet Homes.*
6. Consider Conceptual Plat for West Yard Subdivision at Approximately 1200 North and 1410 West, and Set Public Hearing.
7. Discuss Changes to Yard Regulations in Title 17, and Set Public Hearing.
8. Staff report.
9. Consider approval of minutes from November 28, 2017 meeting.
10. Adjourn.

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 December 11, 2017 by Cathy Brightwell, City Recorder.

MEMORANDUM



TO: Planning Commission

MEETING DATE: September 21, 2017

FROM: Cathy Brightwell

RE: Axis Driveline & Drivetrain, LLC

Staff received an application from Eric Banford on December 1, 2017 for a conditional use permit for Axis Driveline & Drivetrain, LLC, located at 847 W 500 South. Axis Driveline intends to provide automotive driveline and drivetrain rebuild and repair.

Mr. Banford has secured garage space from Ralph Smith Company that will accommodate 2 vehicles inside the bay. It is unlikely there will be more vehicles on site but if there are, they will be stored in a fenced in area out of site of the street.

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; and
6. 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. Fire Inspection approval (scheduled for December 12);
2. Vehicles to be serviced will be stored either inside the garage bay or in a fenced area out of site of the street, no other outdoor storage will be allowed;
3. Upon issuance of this Permit, Axis Driveline & Drivetrain, LLC., will purchase a West Bountiful City business license.



JB
TIRE
axis
DRIVELINE

YOKOHAMA

YETI

axis
DRIVELINE







MEMORANDUM

TO: Planning Commission

DATE: December 8, 2017

FROM: Ben White

RE: ADU at 161 N 1450 West

Mr. Jones desires to construct a new house for his family at 161 North 1450 West. He also intends to construct a swimming pool next to the house. In preparation for the pool, a pool house (apartment), connected to the house via a small breeze way, is proposed. Since the apartment is a separate dwelling unit, an Accessory Dwelling Unit (ADU) Conditional Use Permit is required before it could be occupied.

WBMC Chapter 17.82 allows a conditional use ADU subject to the development standards specifically listed in Section 17.82.050, and listed below.

- A. **Location.** An accessory dwelling unit (ADU) shall be allowed only within or attached to an owner-occupied single family dwelling.
- B. **Number of Accessory Dwelling Units.** A maximum of one (1) ADU shall be allowed within or attached to each single family dwelling. No lot or parcel shall contain more than one ADU.
- C. **Parking.** Adequate parking shall be made available to accommodate the residential use of an ADU, subject to the residential use parking requirements. At least one (1) space shall be designated for the ADU. Parking stalls shall be paved with concrete, masonry, asphalt, or concrete pavers.
- D. **Utility Metering.** No separate utility metering for the ADU shall be allowed, and the utility service shall be in the property owner's name.
- E. **Size of Accessory Dwelling Unit.** An ADU shall contain a minimum of 300 square feet; provided, that the dimensions and sizes of living areas, kitchen areas, sleeping areas and bathroom facilities comply with applicable provisions of this title and the current building codes adopted by the City.
- F. **Construction Codes.** An ADU shall comply with the construction housing codes in effect at the time the ADU is constructed, created as a separate dwelling, or subsequently remodeled. This shall include the obtaining of a building permit or other permits as the codes may require.
- G. **Architecture.** An ADU that is added onto an existing single family dwelling or a new single family dwelling that is designed to accommodate an ADU shall not resemble a multi-family structure in terms of the scattered placement of garage doors, carports, or number or location of outside entries or porches.

- H. **Owner Occupied.** The owner of the property on which the ADU is located, as listed in the County Recorder's Office, must reside on the property as their principal residence. At no time shall both the ADU and the primary single family dwelling be rented as separate units.

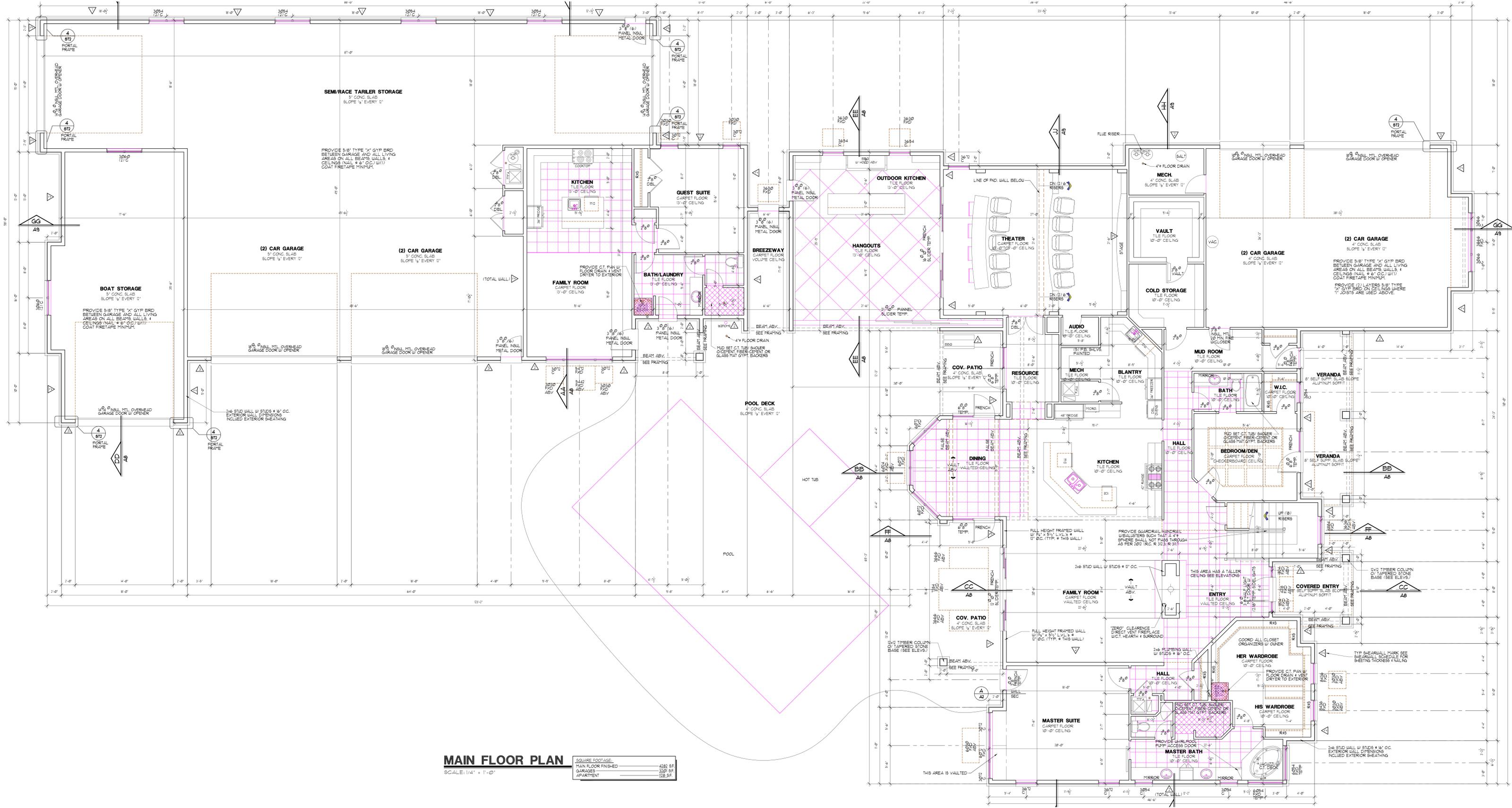
Staff recommends the following Findings of Fact and Conditions be applied to this conditional use permit.

Findings:

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 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.

Typical conditions for an ADU include:

1. Provide adequate parking.
2. Meet current building code.
3. The permit is not transferable. If at any time the home is not occupied by the applicant or his immediate family or the applicant sells the property, the permit shall be revoked pursuant to 17.60.080.
4. If the applicant decides to lease the ADU, they will include in any lease document, language that the lease will terminate upon sale of the property.



MAIN FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 SQUARE FOOTAGE:
 MAIN FLOOR FINISHED 4282 SF
 GARAGES 3207 SF
 APARTMENT 158 SF

ATTENTION: THESE PLANS, DRAWINGS AND DESIGN ARE THE PROPERTY OF LANDFORMS DESIGN AND SHALL NOT BE REPRODUCED, COPIED, REPRODUCED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE EXPRESS WRITTEN CONSENT OF LANDFORMS DESIGN. RELEASED FOR USE: THESE PLANS ARE FOR CONSTRUCTION ON THE SITE DESCRIBED AS:
 ADDRESS: 161 N. 1450 WEST
 CITY: WEST BOUNTY, UTAH
 STATE: UTAH DATE: 2-25-16



JONES RESIDENCE
 CUSTOM HOME PLAN
 MAIN FLOOR PLAN
 COPYRIGHT 2015 BY LANDFORMS DESIGN (801) 238-2240

REVISIONS	DATE	ITEM

ENGINEER: C.E.S.
 ARCHITECT: M.H.H.
 RELEASE DATE: 2-17-17

A3

MEMORANDUM



TO: Planning Commission

DATE: December 8, 2017

FROM: Ben White

RE: High Gate Subdivision

Onion Patch Securities, LLC, is proposing a residential development consisting of 27 1-acre lots located between 1100 W and 1450 W south of the Mill Creek canal. The development includes lots that conform to the A-1 zone requirements and open space parcels to be maintained by an H.O.A.

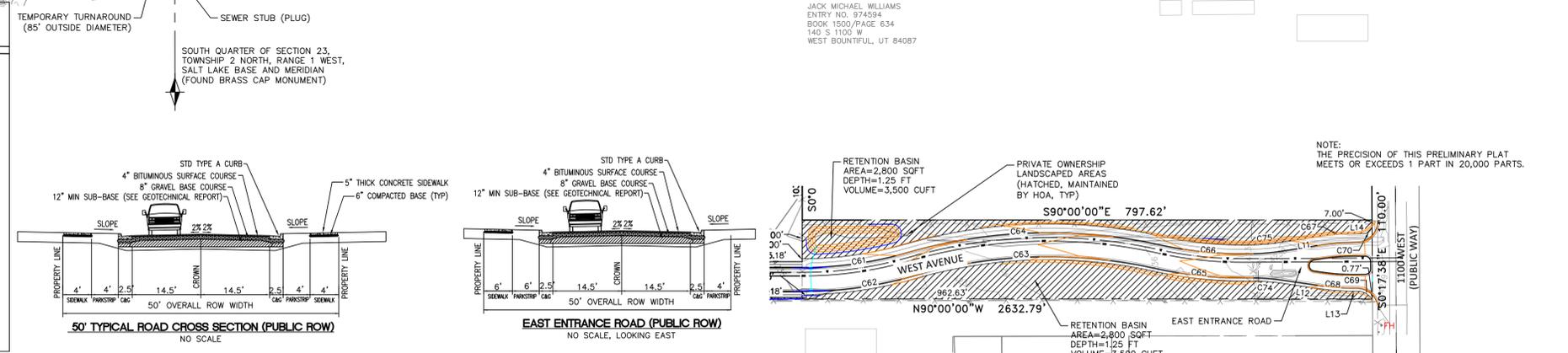
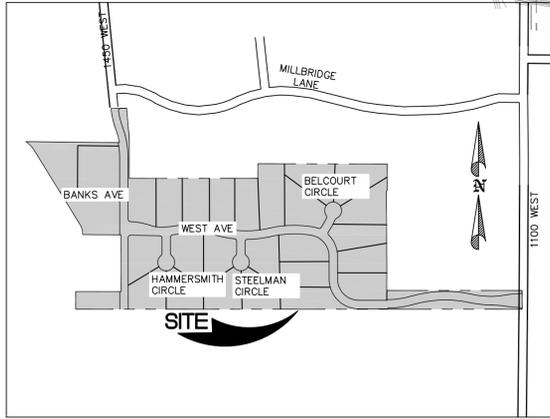
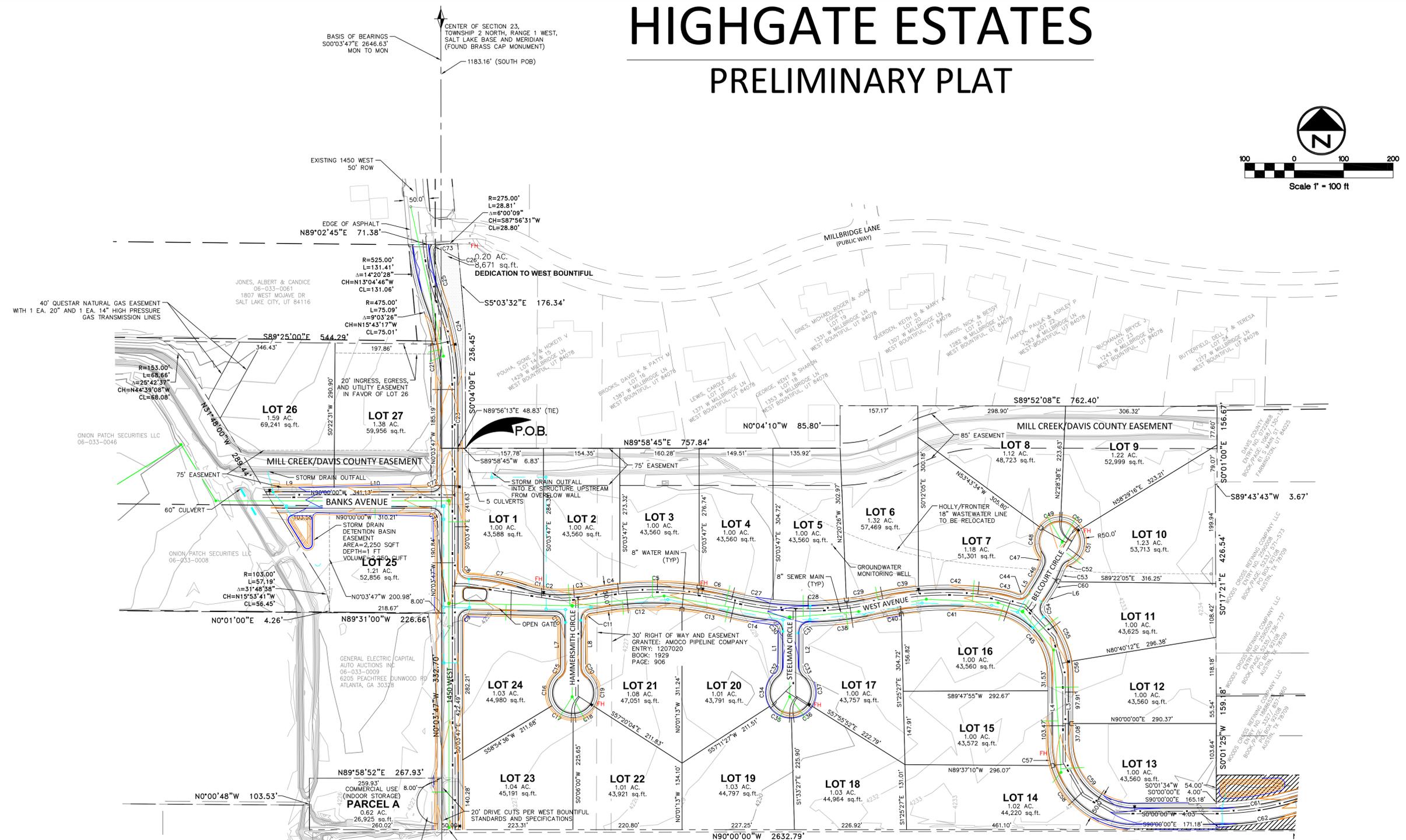
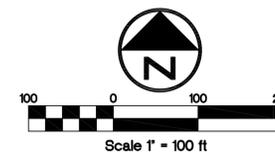
As with nearly all properties left to develop, this property has its own unique challenges.

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 is to be deeded as street right of way. A six-foot-wide sidewalk along one side is proposed along this section of road. An entry landscape island is proposed to be constructed in the middle of the street right of way.
2. The second means of access to the development is a southerly continuation of 1450 West. The developer does not own all the property for the street continuation in its current alignment. The adjoining property owner (Al Jones) and Onion Patch have executed an agreement for the right of way dedication and street construction. In short, they will each pay half the road cost in front of the Jones property.
3. Davis County has agreed to allow a direct discharge into the canal in return for other contributions by the developer. As of the time writing this memo, public works has not had the opportunity to comment on the proposal that the storm drain run between lots 1 and 2 before discharging into the canal. Staff would also like to eliminate the detention basin near lot 13 and pipe that water straight to the canal.
4. The Developer owns a large parcel of land west of this development. The Sewer District has agreed to construct the sewer line to the west and the property owner has agreed to grant the easement. This sewer line will eliminate the need for a sewer lift station.
5. 1450 West is included to extend south to the development boundary with a temporary vehicle turnaround. There is a 0.5 acre parcel at the south end of the road that can be approved as a commercial use. It is in the B-U zone and not the A-1 zone.
6. Street lights are included along the entry road off 1100 West and at intersections and in the cul-de-sacs.
7. Fire hydrants are shown on the preliminary plat.

8. A Holly Frontier wastewater drain line cuts through the property. The Sewer District will be intercepting and rerouting the flow in 1100 West. The result is that the line through the development will either be abandoned in place or the pipeline removed.
9. A remnant parcel of ground is property off 1450 N against Mill Creek Meadows. The developer is working with the adjoining property for its sale.
10. Jack Williams owns the property to the south of the development. He has expressed a desire for street access. As proposed, the development will provide access to the Williams property at the west end (1450 W) and at the east end of Lot 14 where the right of way aligns with the south property boundary.
11. 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. A fence will be maintained between the Mill Creek channel and the home owners' rear yards. This means that property owners who own parts of the Mill Creek channel will not have direct access to portions of their property.
12. West Avenue will be renamed.

HIGHGATE ESTATES

PRELIMINARY PLAT



DEVELOPER/OWNER: 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: 37.04
TOTAL LOTS: 27
LOTS PER ACRE: 0.73

LEGAL DESCRIPTION
BEGINNING AT THE SOUTHWEST CORNER OF LOT 14, MILLCREEK MEADOWS SUBDIVISION, ON FILE WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, SAID POINT ALSO BEING SOUTH 00°03'47" EAST ALONG THE QUARTER SECTION LINE A DISTANCE OF 1183.16 FEET AND NORTH 89°56'13" EAST 48.83 FEET FROM THE CENTER OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES: 1) NORTH 89°58'47" EAST 757.84 FEET, 2) NORTH 00°04'10" WEST 85.80 FEET, 3) SOUTH 89°52'08" EAST 762.40 FEET; THENCE SOUTH 00°01'00" EAST 156.67 FEET; THENCE SOUTH 89°43'43" WEST 3.67 FEET; THENCE SOUTH 00°17'21" EAST 426.54 FEET; THENCE SOUTH 00°01'25" WEST 159.18 FEET; THENCE EAST 797.62 FEET TO THE WEST RIGHT-OF-WAY LINE OF 1100 WEST; THENCE SOUTH 00°17'38" EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 110.00 FEET; THENCE WEST 2632.79 FEET; THENCE NORTH 00°00'48" WEST 103.53 FEET; THENCE NORTH 89°58'52" EAST 267.93 FEET TO SAID QUARTER SECTION LINE; THENCE NORTH 00°03'47" WEST ALONG SAID QUARTER SECTION LINE 332.70 FEET; THENCE NORTH 89°31'00" WEST 226.66 FEET TO THE EAST LINE OF AN EASEMENT RECORDED ON APRIL 8, 1955 AS ENTRY NO. 145065, IN BOOK 81, AT PAGE 634, ON RECORD WITH THE OFFICE OF THE DAVIS COUNTY RECORDER; THENCE ALONG SAID EASEMENT THE FOLLOWING FOUR (4) COURSES: 1) NORTH 00°01'00" EAST 4.26 FEET TO THE POINT OF A 103.00 FOOT RADIUS CURVE TO THE LEFT, 2) ALONG SAID CURVE A DISTANCE OF 57.19 FEET THROUGH A CENTRAL ANGLE OF 31°48'38" (CHORD BEARS NORTH 15°53'41" WEST 56.45 FEET), 3) NORTH 31°48'00" WEST 515.85 FEET TO THE POINT OF A 153.00 FOOT RADIUS CURVE TO THE LEFT; 4) ALONG SAID CURVE A DISTANCE OF 68.66 FEET THROUGH A CENTRAL ANGLE OF 25°42'37" (CHORD BEARS NORTH 44°39'08" WEST 68.08 FEET); THENCE SOUTH 89°25'00" EAST 544.29 FEET TO THE POINT OF A 475.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 75.09 FEET THROUGH A CENTRAL ANGLE OF 9°03'26" (CHORD BEARS NORTH 15°43'17" WEST 75.01 FEET) TO THE POINT OF A 525.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 131.41 FEET THROUGH A CENTRAL ANGLE OF 14°20'28" (CHORD BEARS NORTH 13°04'46" WEST 131.06 FEET); THENCE NORTH 89°02'45" EAST 71.38 FEET TO THE POINT OF A 275.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE A DISTANCE OF 28.81 FEET THROUGH A CENTRAL ANGLE OF 6°00'09" (CHORD BEARS NORTH 87°56'31" EAST 28.80 FEET) TO THE NORTHWEST CORNER OF SAID LOT 14; THENCE ALONG THE WEST LINE OF SAID LOT 14 THE FOLLOWING TWO (2) COURSES: 1) SOUTH 00°03'32" EAST 176.34 FEET, 2) SOUTH 00°04'09" EAST 236.44 FEET TO THE POINT OF BEGINNING.

CONTAINS 37.04 ACRES, MORE OR LESS
27 LOTS

NOTES:
1. PRESENT LAND USE IS AGRICULTURAL PASTURE.

LEGEND

8" PVC WATER LINE	---
8" PVC SANITARY SEWER LINE	---
15" PVC STORM DRAIN LINE	---
FIRE HYDRANT	+

NO.	REVISION	DATE
1	SUBMITTAL PRINT	8/24/2017

PROJECT INFORMATION

HIGHGATE ESTATES PRELIMINARY PLAT

200 SOUTH 1100 WEST
WEST BOUNTIFUL, UTAH

DRAWN	KMD	CHECKED	DPW	PROJECT #	17055
DATE	06/26/2017				
SCALE	1" = 100'				
SHEET	C101				
ENGINEER'S STAMP					

G:\DATA\17055 Highgate Estates.dwg, 17055 Preliminary.dwg
PLOT DATE: Dec 08, 2017

MEMORANDUM



TO: Planning Commission
DATE: December 11, 2017
FROM: Ben White, City Engineer
RE: Kinross Estates PUD Application

Hamlet Development submitted a Planned Unit Development (PUD) application for a 34-lot residential subdivision on the corner of 1100 West and Porter Lane in July of this year. The property is 23 acres and is in the R-1-22 zoning district.

In the November 28, Planning Commission meeting, the discussion focused primarily on lot sizes. The developer agreed to provide a new concept plan with no lots smaller than 15,000 sq. ft.

PROJECT DENSITY

A base density plan was previously submitted to the planning commission that contained 34 lots which could meet the zoning requirements. The PUD proposal is also for 34 lots. In short, the developer is not requesting any bonus density. The Olsen Farm Subdivision to the south is the closest subdivision comparison. The lot sizes for both subdivisions are:

<u>Kinross (34 lots)</u>	<u>Olsen Farm (75 lots)</u>	
0	55	11,000 to 15,000 sq. ft.
3	9	15,000 to 20,000 sq. ft.
30	8	20,000 to 40,000 sq. ft.
1	3	over 40,000 sq. ft

DEVELOPMENT AGREEMENT

Legal Counsel has reviewed the draft development agreement. His main concern yet to be resolved is that the agreement seems to be a three-way agreement with the City, Developer and a Trust which will retain ownership of Lots 7-10, although it is not an issue that needs to be addressed today. Items in the development agreement that the Planning Commission should be specifically aware of include:

- Paragraph 6.f includes the provision for a construction and sales trailer.
- Paragraph 18.j includes the requirement for the developer to provide the environmental indemnification.

EXHIBIT A - LEGAL DESCRIPTION

- As previously stated, the property consists of 23.01 acres. The property descriptions on file with the County indicate that the property is over 24 acres. A survey of the property determined that it is only 23.01 acres.

EXHIBIT B - PRELIMINARY PLAT

- The plat includes the request by the Planning Commission to stub a future road south toward the easterly end of the project.
- The subdivision contains a dead-end street about 1500 feet long. The fire department's only comment was that a turn around was needed on dead ends over 150 feet.
- Notes related to the environmental restrictions for the impacted lots should be added to a final plat.
- An open space easement in favor of the city should be placed over Parcel A. This is to help protect the city open space position should land use laws change in the future.
- The pavement cross section needs to be updated to reflect the city's minimum standard requirement.

EXHIBIT C - IMPROVEMENT PLANS

- Curb and sidewalk is included along all of 1100 West. One of the large steel electrical towers is in the way of the curb. The curb has been modified to go around the pole.
- Proposed street lights, fire hydrants and other utility lines are included.
- Utilities need to extend all the way to the plat boundary on the dead-end streets. The east dead-end street should extend to the plat boundary or an agreement be put into place for who pays for the road extension.

EXHIBIT D - CCRs

- The intent is for construction trailers only; no sales trailer.
- Paragraph 2.14 mirrors the city's farm animal ordinance.
- Paragraph 2.15 is worded to allow operable vehicles stored on site.
- Paragraph 2.18 lots cannot be further subdivided
- Paragraph 10.11 contains limitations on Lots 7, 8, 9 and 10 until the Department of Environmental Quality provides a release.
- Paragraph 10.12 naming the city as a third-party beneficiary is a requirement of legal counsel.

EXHIBIT E - DRAINAGE/GRADING PLAN

- Rear yard drains will need to be provided.
- Storm drain on Porter Lane needs to be piped and not an open ditch. The pipe in the front yard is acceptable rather than being in the street.
- The drainage path through the bottom of the detention basin is included as a concrete swale.

EXHIBIT F - LANDSCAPE PLAN

- The development proposes park strip trees and sod in the park strip along streets with abutting lots. There are no trees proposed the 1100 West frontage with concrete in the park strip due to the adjoining land use (open space parcel).
- An agricultural fence is proposed around the boundary of the open space parcel and lots 7-10.
- An additional rail fence is proposed along the subdivision street frontage for lots 7-10.

EXHIBIT G - ELEVATIONS

Proposed house elevation designs are included in Exhibit G. These are actual designs the Developer intends to construct. Additional designs beyond those provided, but of a similar architecture, are intended to be constructed as well.

EXHIBIT H - GEOTECHNICAL STUDY

The geotechnical study for the property has been prepared. Due to the document's size, a paper copy was not provided. Paper copies are available at city hall for review.

EXHIBIT I - WETLAND STUDY

A wetland delineation and Corps of Engineers Jurisdictional Determination has been completed. Due to the document's size, a paper copy was not provided. Paper copies are available at city hall for review.

EXHIBIT J - WASATCH ENVIRONMENTAL REPORT

Exhibit J contains two documents provided by Wasatch Environmental regarding the 1991 gasoline and diesel fuel pipeline leak. The first document contains an environmental summary using lay terms explaining remediation efforts and health risks. The second document is an environmental summary with more technical terms and data.

EXHIBIT K - DRAFT INDEMNITY AGREEMENT

A draft indemnity has been provided which would release the City and Developer of future claims resulting from the contamination.

Due to the size of the documents, the following documents are available at city hall for review:

1. Development Agreement (unchanged from last meeting)
2. CCRs (unchanged from last meeting)
3. Landscape Plan (unchanged from last meeting)
4. House Designs (unchanged from last meeting)
5. Geotechnical Study
6. Wetland Study
7. Wasatch Environmental Report
8. Drainage Calculations
9. PUD Application
10. Preliminary Title Report
11. Base Density Plan

STAFF COMMENTS

The Developer is requesting a recommendation from the Planning Commission tonight. As shown in the Project Density section of this memo, the Developer is not asking for much in the way of lot flexibility. Included with this memo is also a half acre plan where all the lots meet the half acre minimum requirement. A subdivision meeting the minimum requirements for the underlying zone is always an option. Staff has prepared a comparison of the two concepts below.

Comparison of PUD and ½ acre designs:

The quickest way to differentiate the design concepts is to look at the property south of the Kinross Subdivision boundary. **The PUD does not include a Phase 2 south of the project. The ½ acre design concept does include it.**

LOT SIZES: The two plans contain lot sizes that are not materially different

STREET LAYOUT: The PUD concept contains a street design where the east-west street will continue in the future. The ½ acre concept includes a cul-de-sac design. Both options work for either concept.

ENVIRONMENTAL CONSIDERATION: The environmental issues are the same with both design concepts. The Developer has agreed to provide an indemnification to the city with the PUD concept which could be a benefit above the ½ acre concept.

LENGTH OF DEADEND: The PUD option has a dead-end length of approximately 1500 feet. The ½ acre concept has a 1000 foot dead-end. The primary difference is that the ½ acre option requires development of the adjoining property right now. The ½ acre concept is superior when only considering the dead-end length.

OPEN SPACE: The PUD option has a 1.84 acre open space parcel along 1100 West. The ½ acre option does not include any open space. Staff recognizes that opinions vary regarding the value of the open space. However, staff considers a storm detention basin encumbering multiple private properties a bad idea. From a storm detention perspective, the PUD option is superior.

DESIGN CONTROLS: CCRs and a Development Agreement add a potential value that is only provided with a PUD concept.

FUTURE SUBDIVISION: Both design options include large lots in the impacted area. It is probable, if not guaranteed, that once the environmental impacts are cleared, the city will receive an application to further divide the property with the ½ acre concept. It will be much more difficult to further divide the property with the PUD concept.



3980 S. 700 E., # 22 Salt Lake City, UT 84107
(801) 201-7494 www.edmllc.net



SCALE: 1"=60'



DEVELOPER:

Hamlet Development
308 East 4500 South, Suite 200
Murray, UT 84107
801-281-2223



SURVEYOR'S CERTIFICATE

I, TYLER E. JENKINS DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 4938730 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS:

KINROSS ESTATES SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

NOTES

- All sanitary sewer improvements shall conform with the standards and specifications of South Davis Sewer District.
- All culinary water improvements shall conform with the standards and specifications of West Bountiful City.
- All improvements in the public right of way shall conform with the standards and specifications of West Bountiful City.
- All private improvements shall conform to APWA standards and specifications.
- Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.
- Typical setbacks are:
Front: 30'
Rear: 30'
Side Interior: 10' min. 24' total
Side Corner: 20'
- Impacted soils information based upon a site map from Tesoro Logistics identified with project number K014TSMP5.

PROJECT STATISTICS

Total Area	23.01 Acres
Total Lots	34 (1.48 per acre)

Kinross Estates

Preliminary Plat

PROJECT:	1770
DRAWN BY:	NMM
REVIEWED BY:	PMD
REVISIONS:	
No. DATE	REMARKS

DATE: November 29, 2017

SHEET NUMBER:

O-2



CURVE TABLE					
CURVE	DELTA	ARC LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C53	13°25'22"	30.46	130.00	N7°41'16"E	30.39
C54	90°00'00"	18.85	12.00	N45°58'35"E	16.97
C55	14°10'06"	32.15	130.00	N21°29'00"E	32.07
C56	10°09'13"	88.61	500.00	N66°40'33"W	88.49
C57	90°09'59"	18.88	12.00	N16°30'57"W	17.00
C58	12°39'32"	110.47	500.00	N78°04'56"W	110.25
C59	6°11'26"	54.02	500.00	N87°30'25"W	54.00
C60	90°00'00"	23.56	15.00	N44°23'52"E	21.21
C65	90°00'00"	18.85	12.00	S45°36'08"E	16.97
C66	3°59'17"	38.28	550.00	S88°36'30"E	38.27
C69	9°56'34"	95.44	550.00	S81°38'34"E	95.32
C73	8°34'59"	82.39	550.00	S72°22'48"E	82.31
C80	6°29'22"	62.30	550.00	S64°50'38"E	62.26
C81	89°50'01"	18.81	12.00	N73°29'03"E	16.95
C87	90°00'00"	18.85	12.00	S44°01'25"E	16.97
C89	27°35'28"	38.52	80.00	S14°46'19"W	38.15

CALCULATED NW CORNER SECTION 13 TOWNSHIP 2 NORTH, RANGE 1 WEST

S 89°39'32" E 2656.66'

FOUND PIN IN SIDEWALK NORTH QUARTER SECTION 13 TOWNSHIP 2 NORTH RANGE 1 WEST BENCHMARK 4223.32'

PORTERS LANE

LEGACY HIGHWAY

1100 WEST STREET

NOTE: PARCEL A IS TO REMAIN AS OPEN SPACE REFER TO DEVELOPMENT AGREEMENT FOR RESTRICTIONS AND LIMITATIONS

PARCEL A 1.84 ACRES

IMPACTED SOIL

NATURAL GAS EASEMENT

POWER EASEMENT

POWER EASEMENT

PETROLEUM EASEMENT

POINT OF BEGINNING

500°32'10"E 1359.35' (TO POB)

FOUND BRASS CAP WEST QUARTER SECTION 13 TOWNSHIP 2 NORTH RANGE 1 WEST

TEMPORARY TURNAROUND EASEMENT TO BE VACATED WHEN ROAD CONTINUES

CALCULATED CENTER QUARTER SECTION 13 TOWNSHIP 2 NORTH RANGE 1 WEST

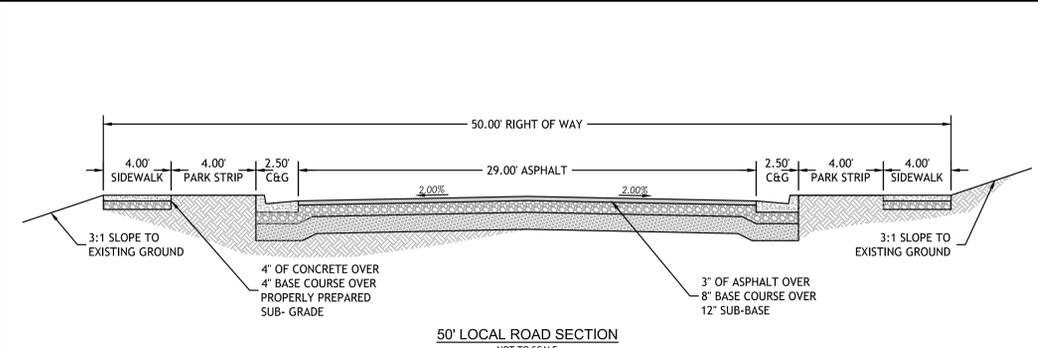
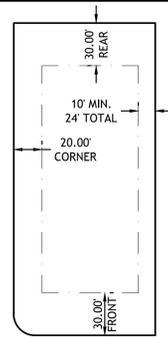
BASIS OF BEARING NORTH 00°32'10" WEST, BEING THE BEARING OF THE SECTION LINE BETWEEN A FOUND BRASS CAP MONUMENT AT WEST QUARTER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 1 WEST AND A CALCULATED MONUMENT AT NORTHWEST CORNER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 1 WEST

BOUNDARY DESCRIPTION BEGINNING AT A POINT ALONG THE SECTION LINE N00°32'10"W 1359.35 FEET FROM THE WEST QUARTER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE ALONG SAID SECTION LINE N00°32'10"W 213.32 FEET; THENCE N34°06'47"E 618.73 FEET; THENCE A DISTANCE OF 46.92 FEET ALONG AN ARC OF A 1,826.44 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS N34°53'14"E A DISTANCE OF 46.92 FEET); THENCE S89°01'25"E 872.85 FEET; THENCE S00°43'36"W 22.13 FEET; THENCE N89°44'39"W 41.50 FEET; THENCE S00°41'03"W 84.51 FEET; THENCE S89°49'53"E 41.41 FEET; THENCE S00°44'30"W 223.03 FEET; THENCE N90°00'00"E 425.69 FEET; THENCE S00°32'07"E 400.87 FEET; THENCE S88°26'02"W 246.64 FEET; THENCE S89°41'28"W 830.79 FEET; THENCE S89°16'21"W 592.46 FEET TO THE POINT OF BEGINNING.

CONTAINS 23.01 ACRES IN AREA

BOUNTFUL PASTURE LLC DENVER STREET PROPERTIES 06-011-0110

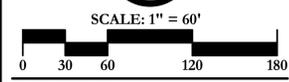
N 89°59'29" E 2653.25'



C:\Users\Nick\Dropbox\EDM\Projects\Kinross Estates\Drawings\2.Preliminary Plat.dwg



PO Box 522056 Salt Lake City, UT 84152-2056
(801) 201-7494 www.edmlc.net



DEVELOPER:
Hamlet Development
308 East 4500 South, Suite 200
Murray, UT 84107
801-281-2223



NOTES:



PHASE 2 STATISTICS	
Total Area	5.29 Acres
Total Lots	9 (1.70 per acre)

Kinross Estates Phase 2 Conceptual Site Plan

PROJECT:	
DRAWN BY:	NMM
REVIEWED BY:	PMD
REVISIONS:	
No. DATE	REMARKS

DATE: December 5, 2017

SHEET NUMBER:
0-1

MEMORANDUM



TO: Planning Commission

DATE: December 5, 2017

FROM: Ben White

RE: New West Yard Subdivision

South Davis Sewer District has agreed to sell West Bountiful City approximately half of their property at approximately 1410 West 1200 North. The Sewer District acquired land from UDOT following the construction of the Legacy Highway. The City is interested in pursuing the construction of a new public work facility at this location.

The land parcel is currently 11.22 acres. The City is purchasing 5.37 acres of this parcel plus a 0.33 acre parcel in unincorporated Davis County. Where this is a subdivision, staff is suggesting we proceed with a public hearing and the standard subdivision process for this property. Rather than a plat, staff is suggesting the exemption from a plat procedure as outlined in state code. A draft of the approval certificate is attached together with the property survey.

WHEN RECORDED, RETURN TO:
West Bountiful City Corporation
Attn: City Recorder
550 North 800 West
West Bountiful, Utah 84087

WEST BOUNTIFUL CITY
LAND USE AUTHORITY'S
CERTIFICATE OF WRITTEN APPROVAL
OF SMALL SUBDIVISION WITHOUT A PLAT

In accordance with Utah Code Ann. § 10-9a-605, as amended, "Exemptions from plat requirement," and West Bountiful Municipal Code § 16.16.020(F), as amended, "Waiver for Minor or Small Subdivisions," the City Council of West Bountiful City (the "**City**"), acting as the City's land use authority, hereby certifies that the proposed subdivision of the property located at approximately 1410 West 1200 North, West Bountiful, Utah, referred to in the attached record of survey map (the "**Property**"), has met the following requirements:

1. The City has provided notice as required by ordinance.
2. The proposed subdivision is not traversed by the mapped lines of a proposed street as shown in the West Bountiful General Plan and does not require the dedication of any land for street or other public purposes.
3. The proposed subdivision has been approved by the culinary water authority and the sanitary sewer authority.
4. The proposed subdivision is located in a zoned area.
5. The proposed subdivision conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.

The City Council, as land use authority, hereby approves and authorizes the subdivision of the Property as outlined in the attached metes and bounds description of the Property.

DATED this ____ day _____, 20__.

WEST BOUNTIFUL CITY

Mayor

Attest:

City Recorder

ACKNOWLEDGMENT

STATE OF UTAH)
 : ss
County of Davis)

On the _____ day of February, 2018, personally appeared before me
_____ and _____ who, being duly sworn, acknowledged
that they are the Mayor and City Recorder, respectively, of West Bountiful City, and that they
signed the foregoing instrument on behalf of the City by authority of the City Council.

Notary Public

SURVEYOR'S CERTIFICATE

I, Kirk Peter Morgan, do hereby certify that I am a Professional Land Surveyor, and that I hold certificate number 171201, as prescribed by the laws of the State of Utah, and that under my direction a survey has been made of the following described property recorded as Entry No. 2550417 in Book 5101 at Page 76 in the office of the Davis County Recorder:

A tract of land situate in the SE1/4 SW1/4 of Section 14, T. 2 N., R. 1 W., S.L.B. & M. The boundaries of said tract of land are described as follows:

Beginning at the Southeast corner of said entire tract, which point is 134.09 m (439.93 ft.) N.0°33'01"W. along the Quarter Section line from the South Quarter corner of said Section 14 as monumented with a county Brass Cap; and running thence N.0°33'01"W. 267.717 m (878.34 ft.) along the easterly line of said tract of land to the southeasterly right of way line of a highway known as Project No. 0067; thence along said southeasterly right of way line the following two (2) courses and distances: (1) thence S.54°40'26"W. 255.695 m (838.89 ft.) to the point of tangency with a 576.700 m (1,892.06 ft.) radius curve to the left; (2) thence Southwesterly 117.201 m (384.512 ft.) along the arc of said curve (Note: Chord to said curve bears S.48°51'07"W. for a distance of 117.000 m (383.86 ft.); thence S.89°56'04"E. 32.372 m (106.21 ft.); thence S.0°03'37"W. 41.275 m (135.42 ft.); thence N. 89°27'04"E. 11.096 m (36.40 ft.); thence S.0°32'56"E. 1.391 m (4.56 ft.) to the southerly line of said tract of land; thence S.89°56'21"E. 255.851 m (839.41 ft.), more or less, along said southerly boundary line and the north right of way line of 1200 North Street to the point of beginning. The above described tract of land contains 46,729 sq meters (11,547 acres), more or less.

SUBJECT TO a perpetual easement and right-of-way in favor of the Utah Department of Transportation, to maintain drainage ditches upon part of an entire tract of land, situate in the SE1/4 SW1/4 of Section 14, T. 2 N., R.1 W., S.L.B. & M. The boundaries of said part of land are described as follows:

Beginning at a point 134.09 m (439.93 ft.) N.0°33'01"W. along the Quarter Section line, 255.851 m (839.41 ft.) N.89°56'21"W. along the north line of 1200 North Street, 1.391 m (4.56 ft.) N.0°32'56"W., 11.096 m (36.40 ft.) S.89°27'04"W. and 41.275 m (135.42 ft.) N.0°03'37"E. to the true point of beginning from the South Quarter corner of said Section 14 as monumented with a county Brass Cap; and running thence N.0°03'37"E. 31.994 m (104.97 ft) to the southeasterly right of way line of a highway known as Project No. 0067; thence Southwesterly 45.433 m (149.06 ft.) along said southeasterly right of way line, along the arc of a 576.700 m (1,892.06)-foot radius curve to the left (Note: Chord to said curve bears S.45°17'12"W. for a distance of 45.421 m (149.02 ft.)); thence S.89°56'04"E. 32.245 m (105.79 ft.) to the point of beginning. The above described part of an entire tract of land contains 579 sq meters (0.131 acre), more or less.

DATE _____ KIRK PETER MORGAN
UTAH LICENSE NO. 171201

NARRATIVE

The purpose of this survey is to establish the boundary of a tract of land prior to the sale of a part of the tract to West Bountiful City and to prepare three legal descriptions (Parcels 2-4) to facilitate this transaction. Also a legal description of a part of the 1200 North Street right of way that is to be vacated by West Bountiful City (Parcel 1) was prepared. Davis County Section Corner Monuments were recovered and used as the basis of bearing for this survey as shown on this plat. The bearings of the record description were rotated 0°04'02" counterclockwise to match this basis of bearing. The legal descriptions of Parcels 1-4 are based on the Davis County Surveyor's basis of bearing. The corners of the parcels were staked on the ground with 5/8 rebar with aluminum caps stamped "ESI Engineering" as shown on this plat.

PARCEL 1

A parcel of land, being part of the existing right of way of 1200 North Street, West Bountiful, situate in the SW1/4 of Section 14, T. 2 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at the intersection of the northerly right of way line of said 1200 North Street and the northwesterly right of way and no-access line of State Route 67 (Legacy Parkway), which point is N.0°37'03"W. 439.93 feet along the Quarter Section line and S.89°59'37"W. 1620.22 feet from the South Quarter Corner of said Section 14; and running thence S.40°23'22"W. 78.78 feet along said northwesterly right of way and no-access line to the southerly right of way line of said 1200 North Street; thence S.89°59'37"W. 967.42 feet along said southerly right of way line to the westerly boundary line of said Southwest Quarter of Section 14; thence N.0°02'54"W. 60.00 feet along said section line to the northerly right of way line of said 1200 North Street; thence N.89°59'37"E. 1018.52 feet along said northerly right of way line to the point of beginning. The above described parcel of land contains 59,577 square feet or 1.368 acres.

Note: Basis of bearing, N.0°37'03"W. along the Quarter Section line, as per Davis County Survey's published data. Rotate above bearings 0°04'02" clockwise to equal record deed bearings.

PARCEL 2

A parcel of land in fee, being part of an entire tract of property, situate in the SW1/4 of Section 14, T. 2 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at a point in the easterly boundary line of said entire tract, which point is 1175.99 feet N.0°37'03"W. along the Quarter Section line from the South Quarter Corner of said Section 14; and running thence S.89°55'58"W. 202.11 feet to the southeasterly right of way and no-access line of State Route 67 (Legacy Parkway); thence N.54°36'24"E. 246.05 feet along said southeasterly right of way and no-access line to the northeast corner of said entire tract; thence S.0°37'03"E. 142.28 feet along said easterly boundary line to the point of beginning. The above described parcel of land contains 14,377 square feet or 0.330 acre.

Note: Basis of bearing, N.0°37'03"W. along the Quarter Section line, as per Davis County Survey's published data. Rotate above bearings 0°04'02" clockwise to equal record deed bearings.

PARCEL 3

A parcel of land in fee, being part of an entire tract of property, situate in the SW1/4 of Section 14, T. 2 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at southeast corner of said entire tract, which point is 439.93 feet N.0°37'03"W. along the Quarter Section line from the South Quarter Corner of said Section 14; and running thence S.89°59'37"W. 325.00 feet along the southerly boundary line of said entire tract; thence N.0°37'03"W. 649.21 feet to the southeasterly right of way and no-access line of State Route 67 (Legacy Parkway); thence N.54°36'24"E. 149.60 feet along said southeasterly right of way and no-access line; thence N.89°55'58"E. 202.11 feet to the easterly boundary line of said entire tract; thence S.0°37'03"E. 736.06 feet along said easterly boundary line to the point of beginning. The above described parcel of land contains 233,835 square feet or 5.368 acres of which 4,716 square feet or 0.108 acre lies within the existing right of way of 1200 North Street. Balance 229,119 square feet or 5.260 acres.

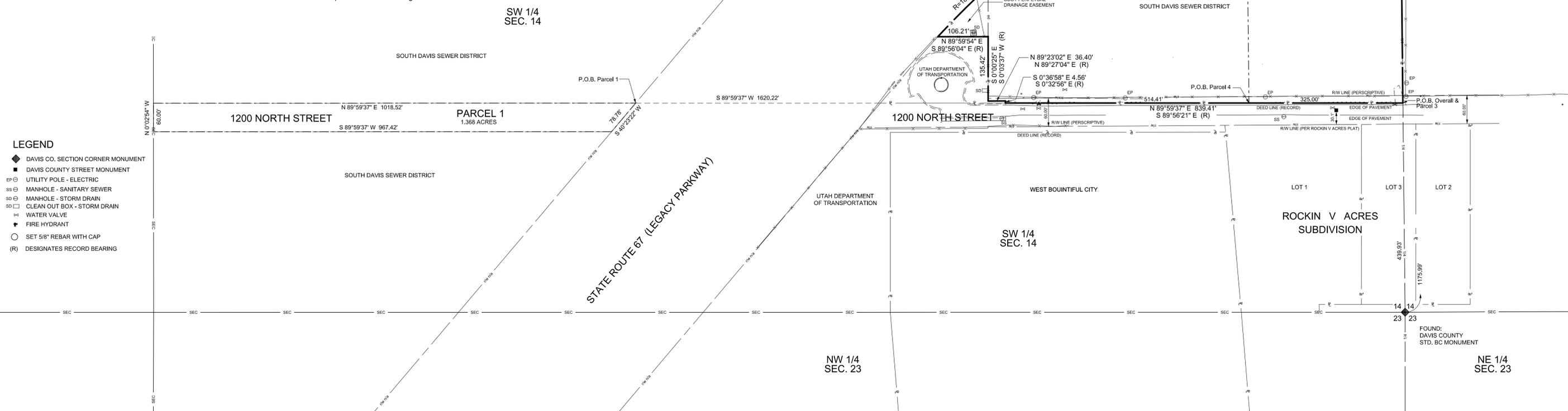
Note: Basis of bearing, N.0°37'03"W. along the Quarter Section line, as per Davis County Survey's published data. Rotate above bearings 0°04'02" clockwise to equal record deed bearings.

PARCEL 4

A parcel of land in fee, being part of an entire tract of property, situate in the SW1/4 of Section 14, T. 2 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at a point in the southerly boundary line of said entire tract, which point is 439.93 feet N.0°37'03"W. along the Quarter Section line and 325.00 feet S.89°59'37"W. from the South Quarter Corner of said Section 14; and running thence S.89°59'37"W. 514.41 feet; thence N.0°36'58"W. 4.56 feet; thence S.89°23'02"W. 36.40 feet; thence N.0°00'25"W. 135.42 feet; thence S.89°59'54"W. 106.21 feet to the southeasterly right of way and no-access line of State Route 67 (Legacy Parkway); thence along said southeasterly right of way and no-access line the following two (2) courses and distances: (1) northeasterly 384.52 feet along the arc of a 1892.06-foot radius non-tangent curve to the right (Note: Chord to said curve bears N.48°47'05"E. for a distance of 383.86 feet); thence (2) N.54°36'24"E. 443.24 feet; thence S.0°37'03"E. 649.21 feet to the point of beginning. The above described parcel of land contains 254,797 square feet or 5.849 acres of which 6,226 square feet or 0.143 acre lies within the existing right of way of 1200 North Street. Balance 248,571 square feet or 5.706 acres

Note: Basis of bearing, N.0°37'03"W. along the Quarter Section line, as per Davis County Survey's published data. Rotate above bearings 0°04'02" clockwise to equal record deed bearings.



REVISION	DATE	BY	DESCRIPTION

RECORD OF SURVEY PLAT
SOUTH DAVIS SEWER DISTRICT PROPERTY
1500 WEST, 1200 NORTH
WEST BOUNTIFUL, UTAH

WEST BOUNTIFUL CITY
550 NORTH, 800 WEST
WEST BOUNTIFUL, UTAH

ESI ENGINEERING
CONSULTING ENGINEERS AND LAND SURVEYORS
3500 SOUTH MAIN STREET SUITE 206
SALT LAKE CITY, UTAH 84115
TEL: (801) 263-1752

SHEET 1 OF 1
PROJECT NO. 17-125

MEMORANDUM



TO: Planning Commission

DATE: December 5, 2017

FROM: Ben White

RE: Yard Regulations

About a year ago, the city made changes the yard regulations which included relaxed fencing requirements and formally recognizing “street side yards” for corner lots different than “side yards” for lots not on a street corner. It has come to staff’s attention as we have applied the new code language to various situations in the city, that the language is not as clear as it could be.

Included with this memo is a redline version of the proposed changes. The changes better identify the required setbacks for main structures and accessory structures. The change also clarifies what setbacks can or cannot be modified by a conditional use permit.

Since the setback language is the same in all three residential zones (R-1-10, R-1-22 and A-1), only code section is included. The intent is that any changes would apply equally to all sections.

"Setback" means the distance between a lot line and a structure on the lot. Setbacks are measured from the lot line to the nearest foundation or column. For a main structure in any residential district, a maximum two-foot cantilever that does not extend to the ground, such as a bay window or chimney, is allowed in the setback area

"Yard" means a required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this title.

Yard, Front. "Front yard" means a space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.

Yard, Rear. "Rear yard" means a space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot; provided that in a corner lot, the rear yard extends only from the side lot line to the street side yard. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of the building.

Yard, Side. "Side yard" means a space on the same lot with a building, between the side line of the building and the side lot line and extending from the front yard to the rear yard. The "width" of the side yard shall be the minimum distance between the side lot line and the side line of the building.

Yard, Street Side. "Street side yard" means the space on the same lot with a building, between the side line of the building and the street side lot line and extending from the front yard to the rear lot line. The "width" of the street side yard is the minimum distance between the street side lot line and the side line of the building.

17.24.050 Yard Regulations

The following regulations apply in the residential district R-1-10:

A. Minimum

Setbacks.

1. Front yard. The minimum front yard setback for all structures is thirty (30) feet, except as otherwise allowed in this Code.
2. Side yard.
 - a. The minimum side yard setback for all ~~main~~ structures is ten (10) feet for any one side. ~~Main structures shall have, with~~ a combined total of twenty-four (24) feet for both sides.
 - b. On a corner lot, the minimum street side yard setback for a main structure is twenty (20) feet.
 - c. Accessory structures may be erected up to within three (3) feet of the street side lot line if:
 - a. The accessory structure is set back from the front lot line farther than the rear line of the main structure;
 - b. Is two hundred (200) square feet or less;
 - c. Has a maximum height of nine (9) feet measured from the lowest finish ground level to the highest part of the roof; and
 - d. Complies with other requirements of this Code.
 - d. Accessory structures larger than two hundred (200) square feet and taller than nine (9) feet may be constructed within the street side yard if the

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structure meets the minimum street side yard setback for main structures and complies with other requirements of this Code.

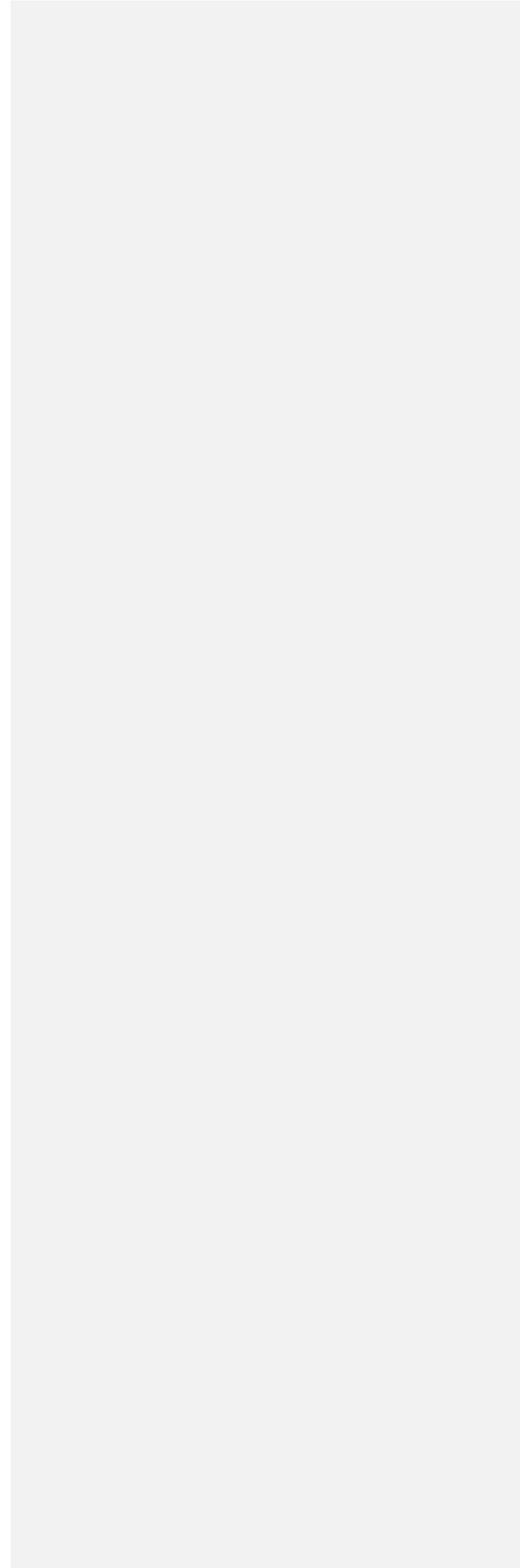
~~e. The minimum side yard and street side yard setback for accessory structures is six (6) feet, or three (3) feet if built to fire code standards, unless otherwise approved as a conditional use by the planning commission.~~

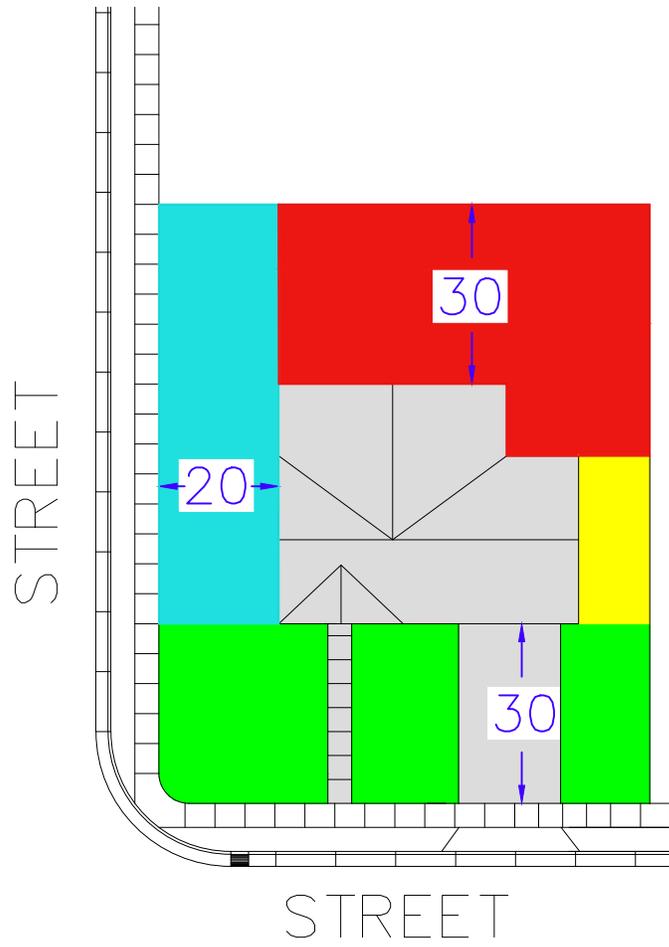
3. Rear yard.

- a. The minimum rear yard setback for all main structures is thirty (30) feet.
- b. The minimum rear yard setback for accessory structures is six (6) feet, or three (3) feet if built to fire code standards, ~~unless otherwise approved as a conditional use by the planning commission.~~
- c. A deck may encroach into a rear yard setback only with a conditional use permit meeting the following criteria:
 - a. The entire deck is at least twenty (20) feet from the rear property line;
 - b. The deck does not encroach more than 200 square feet into the setback area;
 - c. The floor of the deck is no higher than the highest finished floor of the main structure;
 - d. The portion of the deck that extends into the rear yard setback cannot be covered;
 - e. The railing cannot be more than forty-eight (48) inches high and must be less than twenty-five (25%) non-transparent; and
 - f. The deck satisfies other conditions required by the planning commission.

- B. Distance between main structures and accessory buildings. The minimum distance between all main structures and accessory ~~use~~ buildings shall be ten (10) feet, unless otherwise approved by the planning commission as a conditional use. A conditional use cannot reduce the minimum required front, side, street side or rear yard setbacks.
- C. No building on recorded easements. Main structures and permanent accessory buildings shall not be built on or over any recorded easements (i.e., public utility easements, etc.)
- D. Lot standards and street frontage. Except as otherwise provided in this title, every lot hereafter created or modified shall have such area, width and depth as is required by this title for the district in which such lot is located and shall have frontage upon a public street or upon a private street or right-of-way approved by the planning commission, before a building permit may be issued.
- E. Yard space for one building only. No required yard or other open space around an existing building or which is hereafter provided around any building for the purpose of complying with the provisions of this title shall be considered as providing a yard or open space for any other building. Nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot where building is established.
- F. Area of structure and accessory building. No structure or accessory building or group of structures or accessory buildings in any residential district shall cover more than thirty-five percent (35%) of the rear yard.
- G. Sales or lease of space. No space needed to meet the width, yard, area, coverage, parking or other requirements of this title for a lot or building may be sold or leased away from such lot or building
- H. Other Building and Structure Restrictions. No structure, including any structure exempt from a building permit, shall be allowed in any part of a required front, side or street side yard setback except landscape enhancements, such as trellises and arbors, ~~shall be allowed~~ subject to other applicable regulations. Any such landscape enhancement in the

| front, side or street side yard shall be limited to a gross area of ten (10) square feet or less, a width no greater than sixty (60) inches, and a height no greater than ninety-six (96) inches and shall be subject to applicable site triangle area restrictions.





3

4 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice website
5 and on the West Bountiful City website on November 21, 2017 per state statutory requirement.

6

7 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, November 28,**
8 **2017 at West Bountiful City Hall, Davis County, Utah.**

9

10 **Those in Attendance:**

11 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Alan Malan, Laura Charchenko, Corey Sweat, Mike
12 Cottle, and Council member Kelly Enquist

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

14 **VISITORS:** Gary Jacketta, Mike Brodsky, Zach Brodsky, Mark Preece, Nick Mingo, Chelsey Berg, Mike
15 George, Lynne George, Chris Jenson, and Rob Jenson.

16 The regular Planning Commission Meeting was called to order at 7:30 pm by Chairman Denis Hopkinson.
17 Mike Cottle offered a prayer.

18

19 **1. Accept Agenda**

20 Chairman Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as presented.
21 Corey Sweat seconded the motion. Voting was unanimous in favor among members present.

22 **2. Consider Planned Unit Development for Kinross Estates at Porter Lane and 1100 West by**
23 **Hamlet Homes**

24 Commissioner packets included a memorandum dated November 21, 2017 from Ben White regarding
25 Kinross Estates PUD Application with attached diagrams and the development agreement.

26 Ben White noted that this new proposal from the Hamlet Development for a Planned Unit Development
27 (PUD) still includes 34 lots on 23 acres in the R-1-22 zone. Their previous proposal was denied at the last
28 meeting. He noted there have been some alterations made which are listed below.

- 29
- 30 • 4 lots proposed on Porter have been reduced to 3 lots all over 20,000 sq.ft.
 - 31 • Some lots have been reconfigured and the subdivision still is proposing 34 lots consisting of
32 5 lots - 11,000 to 15,000 sq. ft., 14 lots - 15,000 to 20,000 sq. ft., and 15 lots over 20,000 sq. ft.
33 Note: a half acre is 21,700 sq. ft.
 - 34 • 3 acres of open space remain.
 - 35 • CCRs include the city's farm animal ordinance.
 - Operable vehicles can be stored on property.

- 36
- Lots cannot be further subdivided.
- 37
- All required studies have been concluded and are available at City Hall for review.

38 **Commission Comments:**

39 **Alan Malan** is still bothered by the 1700 ft. dead-end road. He asked about fencing around the
40 contaminated area. The fencing is proposed to be a rail fence along street and a square field fence
41 around the balance of the area. Mr. Malan is still opposed to the number of small lots and would
42 prefer the lots on the west be extended to the road.

43 **Laura Charchenko** identified an inconsistency between the development agreement and CCRs
44 regarding construction and sales trailers and asked that it be fixed. Preliminary plat easement for
45 the open space needs to be in writing. She stated that if all the studies meet engineering standards
46 and pass legal she supports them. The three-way agreement needs to be settled.

47 **Corey Sweat** for the most part supports the PUD but suggests that 2 lots need to be removed in
48 order to better comply to the half-acre standard. He does not want to see any quarter acre lots and
49 proposed some options to enlarge them. He wants to make sure that lots close to half acre are not
50 decreased in size to make the smaller lots larger. Elimination of 2 lots would help fix the problem.

51 **Mike Cottle** does not want smaller lots; he may be okay with a couple third acre lots.

52

53 **Michael Brodsky** took the stand and apologized for the frequency that he has burdened them with
54 this development. He is torn trying to make this development financially viable for the developer
55 and seller and appease the Commission with the open space feel. He further explained the
56 challenges of the property to create a subdivision. He feels that they have tried to make a
57 reasonable trade off in maintaining a rural feel along 1100 West with open space and along Porter
58 Lane with larger lots. He stated that there will be a production trailer on site during construction
59 but there will be no sales trailer; he will correct the difference between the development agreement
60 and the CCR's.

61 Mr. Brodsky said the 1700 ft. dead-end road will be resolved when the property to the south is
62 developed and the stub roads are completed. If the commission prefers to break up the open space
63 and run the road out to 1100 West, he is willing to do that but needs direction from them.
64 Commissioners were polled and there is only one Commissioner that has issues with the length of
65 the road.

66 **Corey Sweat** likes the open space parcel but the power easements will dictate that the space
67 remains open anyway even with individual owners. Mr. Brodsky stated that one benefit may be that
68 individual property owners will collect debris on the lots which will not be allowed on a single open
69 space parcel.

70 **Chairman Hopkinson** does not like extending lots to make them longer as he considers them too
71 narrow already. Long skinny lots can be problematic. He is concerned with the east side of the
72 development and feels that by removing lot # 4 and spreading it to lot 5 and 6 would make them
73 closer to the ½ acre. **Alan Malan** feels all the lots on the west side need to be ½ acres.

74 Some discussion took place regarding some possible realignments of lots to increase their size.

75 **Mr. Brodsky** stated that they may be able to shift the main road to the west enough to increase the
76 size of lots along its east side. He said they are willing to make the smaller lots closer to 15,000 sq.ft,
77 and will commit to still have fifteen lots over 20,000 sq.ft. He asked the commission to consider
78 approving the PUD based on this commitment and he will bring back the drawings once they are
79 complete.

80 **Chairman Hopkinson** reminded the Commissioners of the feedback they have received from letters
81 of citizen's and the public hearing. The half-acre zone should be adhered to as best as possible,
82 although the reason for the PUD is for exceptions from the zone and in this case, give the developer
83 some flexibility with the many challenges this area presents. Chairman Hopkinson proposed that
84 the redraw be in front of them before approving the Preliminary Plat.

85 **Laura Charchenko** was concerned that moving the road would create a domino effect to some of
86 the other lots. She feels it is important to have the physical drawings in front of us to review.

87 **Kelly Enquist** questioned the benefit the city is receiving to approve this as a PUD. He is also
88 concerned with the egress and ingress of the development.

89 **Mike Cottle** inquired what the benefit is of this PUD to the City. Chairman Hopkinson responded
90 that it is no real benefit to the City but gives the developer some flexibility and therefore allows the
91 area to be improved by developing it.

92 **Mr. Brodsky** noted that if a PUD is not approved then the City gives up control of the development
93 agreement and such so they could be at liberty to develop anyway they want on half acre lots.

94 **Chairman Hopkinson** encouraged Mr. Brodsky to be patient as they are close to having something
95 that they can approve. All the legal documents are in order up to this point. Discussion will be only
96 on the lot sizes at the next meeting.

97 **Corey Sweat** asked if Staff could provide a side by side comparisons of the two site plans for Kinross
98 Estates for the next meeting. Staff committed to do their best to provide them with the
99 documentation. **Mike Cottle** wants to review the letters from public hearing.

100 **ACTION TAKEN:**

101 ***Corey Sweat moved to table the approval of the PUD until a current plat plan as discussed, this***
102 ***evening. Alan Malan seconded the motion and voting was unanimous in favor.***

103

104 **6. Staff Report**

105 **Ben White:**

- 106
 - Noted that there will be some Code language proposals brought before them regarding
- 107 side yards after the first of the year.

108

109

110

111 **Cathy Brightwell:**

- 112 • Announced that Christmas on Onion Street will be this next Monday. Newsletter will be
113 out by Friday.
- 114 • She asked if they wanted to hold the meeting scheduled on December 26th.
115 Commissioners will likely cancel the December 26th meeting.

116

117 **7. Consider Approval of Minutes from November 14, 2017.**

118 **ACTION TAKEN:**

119 *Laura Charchenko moved to approve of the minutes of the November 14, 2017 meeting as corrected.*
120 *Corey Sweat seconded the motion and voting was unanimous in favor.*

121

122 **8. Adjournment**

123 **ACTION TAKEN:**

124 *Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:40 p.m.*
125 *Laura Charchenko seconded the motion. Voting was unanimous in favor.*

126

127

128

129 *The foregoing was approved by the West Bountiful City Planning Commission on December 12, 2017, by*
130 *unanimous vote of all members present.*

131

132 _____

133 *Cathy Brightwell – City Recorder*

134