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Kenneth Romney

**City Engineer/
Zoning
Administrator**
Ben White

City Recorder
Cathy Brightwell

WEST BOUNTIFUL PLANNING COMMISSION

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Chairman
Denis Hopkinson

Commissioners
Laura Charchenko
Mike Cottle
Alan Malan
Dennis Vest, Alternate

THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD A REGULAR MEETING BEGINNING AT 7:30 PM ON TUESDAY, SEPTEMBER 25, 2018 AT THE CITY OFFICES

Prayer/Thought by Invitation

1. Accept Agenda.
2. Presentation Regarding Design for New West Bountiful Elementary School.
3. Consider Conditional Use Application from John Nelson for a Detached Garage with a Height of 25 ft. 9 inches.
4. Discuss Preliminary Plat for Atwater (Grover) Subdivision at 1811 N 800 West.
5. Consider Recommendation to City Council Regarding Title 17-Yard Regulations, Regarding Setbacks for Covered Patios.
6. Discuss Proposed Changes to Title 16 – Subdivisions.
7. Staff report.
8. Consider Approval of Minutes from September 11, 2018 meeting.
9. 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 September 21, 2018 by Cathy Brightwell, City Recorder.

**West Bountiful City
Planning Commission Meeting**

September 25, 2018

Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website and on the West Bountiful City website on September 21, 2018 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, September 25, 2018 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Alan Malan, Mike Cottle, Laura Charchenko, Dee Vest (alternate) and Council member Kelly Enquist

MEMBERS/STAFF EXCUSED: Corey Sweat, Cathy Brightwell (Recorder)

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

VISITORS: Gary Jacketta, John Nelson, Scott Later, Brian Campbell, Weston Weeker (?)

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

1. Accept Agenda

Chairman Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as presented and Dee Vest seconded the motion. Voting was unanimous in favor among all members present.

2. Presentation Regarding Design for New West Bountiful Elementary School

Scott Later, Architect for the new West Bountiful Elementary School, stated that one challenge they have had with this project is the limited amount of acreage. Most elementary schools usually 12 acres of ground to work with but this property is working with 9 acres. He noted that many things have been worked around to insure there is proper area for recreation and other needs related to an elementary school. Some of the highlights he pointed out are:

- There will be 112 parking stalls which is an increase from 80 stalls that are currently provided for parking. An average amount of parking stalls for an elementary are 100 stalls. The city will increase their parking by about 2 stalls with this new configuration for parking. Mr. Later explained the final site plan and the dynamics of the property.
- There will be a road completely around the school for ingress and egress.
- The Bowery will not be touched as part of this development. Ben explained the area where the school property connects to the City parking lot. He noted that removable bollards will be in place and can be removed if necessary to create another way in/out of parking lot.
- Plans are still being discussed about the 400 North area.
- There will be two new playgrounds and some green space.
- Currently there are 24 classrooms, the new building will have 28 classrooms with potential for adding an additional 8 classrooms on the upper level if necessary.

- Security is important and has been well thought out.
- The building will be structured for more efficient use of energy. It will be a zero -energy facility with solar panels.
- The Media Center is located on the upper level over the Admin area.
- The Community has given their input at the safety fair and their ideas have been considered.
- A mix of brick colors will cover the exterior of the building.
- The front of the school will be clearly defined.
- Construction for the project will begin the first part of November 2018 with a 14 -month construction period. Demolition of the current building will take place and the total project will be finished by 2021.

3. Consider Conditional Use Application from John Nelson for a Detached Garage with a Height of 25 ft. 9 inches

Planning Commissioners received a memorandum dated September 20, 2018 from Ben White regarding Nelson-Accessory Structure 964 West Meadow Lark Ln (corner lot on 1850 North), a conditional use permit application and site plans.

Ben White explained the proposal from Mr. Nelson. He pointed out the property is located in Olsen Farms on a large corner lot. The structure will be located behind the existing home. Mr. White explained the dynamics of the structure to the current home. He referred the Commissioners to the information they received in their packets.

Mr. Nelson desires to construct a 35'x60' detached garage west of his existing house. The garage will be 10 ft. from the house and 10 ft. from the west property line and 20 ft. from 1850 North. The highest gable on the house is about 27 ft tall. The attached garage gable is about 16 ft. There is a brick accessory building southwest of Mr. Nelson that stands 19 feet tall. The building façade proposed is metal. Mr. Nelson is requesting a 25 ft. 9 in. tall garage. A 35'x60' accessory building complies with the City's 35% rear yard regulation.

John Nelson was invited to take the stand for Commissioner's questions/comments.

Alan Malan noted that it appears from the drawings, that the structure is located in the side yard of the property and would not meet the standard requirements. Mr. White pointed out the dynamics of the property regarding the side yards and noted the structure is in the backyard. Mr. Malan challenged that the location was indeed in the side yard of the property. Ben White pulled up the diagram in the city code to point out in comparison of Mr. Nelson's site plan. Some discussion took place to clarify Mr. Malan's argument of where the side yard is on Mr. Nelson's property. Commissioner Malan was satisfied with Mr. White's explanation.

Commissioner Malan asked Mr. Nelson why he would want such a high pitch on this new structure. Mr. Nelson responded that he is trying to match the profile of his home to make it blend better on the property. Mr. Nelson noted that the use of the building was not to store vehicles and such but was going to be used for a recreational sports area (gymnasium) for his children. There will be a driveway leading to the building but that is more for resale value than use at the current time.

Chairman Hopkinson pointed out that this is a conditional use permit for the height of the building and not for the structure of the dwelling. It was noted that Mr. Malan’s earlier concerns were understood but was satisfied that the new dwelling was indeed located in what is considered to be the rear yard of the property.

ACTION TAKEN:

Laura Charchenko moved to approve the accessory structure for John Nelson located at 963 West Meadow Lark Lane (corner lot on 1850 North) to have a height of no taller than 26 feet with the following terms and conditions related to Section 17.60.40 of the city’s municipal code that 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; that use and/or accompanying improvements will not inordinately impact schools, utilities, and streets and will comply with the regulations and conditions specified in the land use ordinance for such use. Mike Cottle seconded the motion and voting was by roll call.

Roll Call Vote:

Mike Cottle- Aye

Dee Vest- Aye

Laura Charchenko- Aye

Alan Malan -Aye

Denis Hopkinson- Aye

4. Discuss Preliminary Plat for Atwater (Grover) Subdivision at 1811 North 800 West

Commissioner packets included a memorandum dated September 19, 2108 from Ben White regarding Preliminary Plat Review for Atwater Estates Subdivision at 1811 N 800 West.

Mr. White introduced the proposal from Pembridge Heathrow Holdings for a 12-lot residential development (Atwater Estates) located 1811 N 800 West that borders the trail and noted that the concept plan was discussed during the May 22 Planning Commission meeting.

Ben White covered the following information in his report to the Commission:

- The twelve lots meet the required R-1-10 zoning requirements for size and width.
- The City Council has approved cutting the asphalt street to accommodate utility services for the two proposed cul-de-sacs.
- To date Staff has received “will serve” letters from the major utility companies and a soils report.
- The water rights associated with the property should be deeded to the city to fulfill the water right requirement.

Other notable items regarding the subdivision:

- The existing brick house will remain, but the older house and out buildings will be demolished.
- The gas easement runs along UTA trail property while the other properties in the area have the gas line on UTA property and not private property.

- The city installed sewer and water services as part of the road reconstruction project in 2014. The developer will need to reimburse the city for the service lines used. Excavations will be limited into 800 West to the two cul-de-sac locations. Public Works will determine what the best way to patch the road will be.
- Some discussion took place regarding drainage and sewer. Mr. White explained the drainage for the subdivision and noted that drainage plan is good for the rear lots. Drainage will divert into the DSB canal. A sealed manhole will most likely be required in 800 West and check valves will be needed on the rear yard drains too.

Some items that will need to be addressed:

- Mr. White asked for the help of the Commission to determine a good location for another street light in addition to the current location of street lighting in the area. Commission determined that another light could be placed at the entrance of the north cul-de-sac.
- Approval for drainage into DSB canal will need to be obtained from the County.
- Street monuments are required in 800 West and in cul-de-sacs.
- A more detailed grading plan will be required with final plat to determine the extent of work required to connect to the existing asphalt on 800 West and final rear yard drain locations.
- The storm drain line should be installed in front of the gutter with combo storm drain boxes to avoid conflicts with the gas and power poles.
- Mail box location was discussed, and Mr. Malan suggested to have two mailboxes one for each cul-de-sac. Mr. White does not think it is likely the postal service will honor that request but will try.

Justin Atwater was invited to take the stand. He inquired about the location of the mailbox(es) as discussed by the Commission this evening. He does not want them to be located where they will be intrusive to property owner.

Mr. Atwater explained that Phil Holland was the original project owner but now their development has taken over the project. He gave a brief update on the County drainage and the fee that they will be paying to do a direct connect. Details are being worked out between the County and the project engineer.

Justin Atwater explained that originally, they were planning on building patio homes much like in Ovation Development but with larger lot sizes. The homes will be a rambler type home with 3 car garages. Cost of the homes will range between the mid to high 400,000 range. He was in hopes of having basements with the studies that they received, but the Commission had a different opinion that would not allow for basements unless the ground level was significantly built up.

Commissioner Comments:

Commissioners were in support of the proposed subdivision design that was presented this evening.

Alan Malan inquired if the power lines could be buried. Ben White stated that it is not possible to require the developer to do so and the power company will only bury new lines. It is cost prohibitive for the City to do this as well. All existing powerlines are grandfathered in.

Staff will determine the location of an additional street light and postal box with the suggestion from the Commission discussed this evening.

5. Consider Recommendation to City Council Regarding Title 17-Yard Regulations, Regarding Setbacks for Covered Patios.

Chairman Hopkinson responded to the request of the City Council to review the current setback regulations for covered patios in our City Code. After a lengthy discussion in the last Planning Commission meeting and polling the Commissioners regarding the subject, Mr. Hopkinson had Staff draft a letter to responded to the City Council along with an attached example (Mr. Sundstrom's requested site plans).

A summary of the letter included the following:

In the opinion of the majority of the Planning Commission rear building setbacks should remain as currently approved. The rationale for this decision is While a five- or ten-foot encroachment of a patio cover may not seem intrusive in some applications, any rear yard setback encroachment may be an intrusive encroachment in a different setting. The same can be said for an eight or ten-foot high canopy. Questions that maybe considered are: Is any railing acceptable under a covered patio? Screening for mosquitoes or removable windows? Where does the boundary end?

It seems that allowing patio roofs while restricting low to the ground deck roofs would be inconsistent with our code regulations.

In West Bountiful the open area around homes is one of the desirable qualities contributing to the quality of life. Most opinions among the Commissioners, were that reducing setbacks to allow larger structures has a similar negative impact as increasing development density.

While the Planning Commission is not unanimous in its opinion. There is some support to consider covered patio encroachments into a rear yard setback as a conditional use with strict limitations but unless the City Council requests the Planning Commission to hold a public hearing on the matter, the Planning Commission will consider its deliberation of the subject complete.

The Commissioners gave their input in support of the letter stating that it reflects their feelings. Staff was directed to forward the letter to the City Council.

6. Discuss Proposed Changes to Title 16 Subdivisions.

Commissioner packets included a redline copy of proposed changes for Title 16 Subdivisions as discussed in last Commission meeting. The document was missing every other page, so this item was tabled until the next meeting.

7. Staff Report

Ben White:

- There will be no overlay on the construction project on Pages Lane. That will be delayed until Spring.
- Mountain View has broken ground.
- Kinross continues to move forward with their development
- Weber Water will be shut off Monday.

8. Consider Approval of Minutes from September 11, 2018 meeting.

ACTION TAKEN:

*Laura Charchenko moved to approve of the minutes of the September 11, 2018 meeting as presented.
Alan Malan seconded the motion and voting was unanimous in favor.*

9. Adjournment

ACTION TAKEN:

*Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 9:02 pm.
Laura Charchenko seconded the motion. Voting was unanimous in favor.*

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*The foregoing was approved by the West Bountiful City Planning Commission on October 9, 2018 by
unanimous vote of all members present.*

Cathy Brightwell – City Recorder