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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
Corey Sweat
Dennis Vest, Alternate

THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD ITS REGULAR MEETING AT 7:30 PM ON TUESDAY, JULY 9, 2019 AT THE CITY OFFICES

Prayer/Thought by Invitation

1. Accept Agenda.
 2. Public Hearing – Application to Change the Zoning to Accommodate Storage Units at 580 W 100 North.
 3. Consider Application to Change the Zoning to Accommodate Storage Units at 580 W 100 North.
 4. Public Hearing – Proposed Changes to Construction Standards and Specifications for West Bountiful.
 5. Consider Proposed Changes to Construction Standards and Specifications for West Bountiful.
 6. Review Updates to the Housing Section of the General Plan.
 7. Staff report.
 8. Consider Approval of Minutes from the June 25, 2019 Meeting.
 9. Adjourn.
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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 5, 2019 by Cathy Brightwell, City Recorder.

**West Bountiful City
Planning Commission Meeting**

July 9, 2019

Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website, on the West Bountiful City website, and at city hall on July 5, 2019 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, July 9, 2019 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Laura Charchenko, Corey Sweat, Dee Vest (alternate), Council member Enquist

MEMBERS EXCUSED: Mike Cottle, Alan Malan

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

VISITORS: James Thomson, Hunter Thomson, Guy Goddard, Jenalee Gerber and son, Lloyd Carr

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

1. Accept Agenda

Chairman Denis Hopkinson reviewed the agenda. Laura Charchenko moved to accept the agenda. Corey Sweat seconded the motion. Voting was unanimous in favor among all members present.

2. Public Hearing – Application to Change the Zoning to Accommodate Storage Units at 580 W 100 N

Chairman Hopkinson gave a brief introduction regarding the applicant's request. Ben White highlighted some of the pros/cons the applicant pointed out in his letter and the memorandum from Mr. White dated July 3, 2019. (See Memorandum information in Item #3).

ACTION TAKEN:

Corey Sweat moved to open the public hearing at 7:37 pm on the applicant's request for a rezone of the property located at 580 West 100 North (Carr Printing Property). Dee Vest seconded the motion and voting was unanimous in favor.

PUBLIC COMMENT:

James Thomson (project applicant) stated that Mr. Carr is present and has been the owner/occupant of the Carr Printing building since 1984. His business is 5 generations deep. Mr. Thomson reported that the property was sold 1 year ago but there were no interested retail tenants due

to the parking conditions and building layout. Current owner is having some challenges developing a use for the building.

Mr. Thomson plans to make improvements on the building and enhance the exterior appearance. The desired use would be for climatized indoor storage with some retail components. They are willing to forgo the earlier request for outdoor storage units and RV parking. There would-be 24-hour security. Staff will be on site Monday through Saturday. The building would be closed on Sunday except for storage clients from 9am to 10 pm who have access.

Lloyd Carr (President of Carr Printing) stated that the building was built in 1984 and doubled in size with an expansion project in the 2000's due to high volume of business. He noted there were storage buildings that surrounded them before the development of the Common's area that they used to store their inventory. He explained the need for downsizing his printing business due to the changing market demands now requiring only one-fourth the space of the building. Before selling, he tried for two years to find a retailer to share the building but has had no success in doing so since the building is not conducive for retail purposes. He would like to stay as a tenant but not sure it fits with the current storage unit plans. He stated that the Thomson's have the best interest of the City in mind and appear to be honest in their dealings. He reiterated that he really tried to find better options that are currently permitted in the C-G zone but had no success.

ACTION TAKEN:

Corey Sweat moved to close the public hearing at 7:50 pm. Laura Charchenko seconded the motion and voting was unanimous in favor.

3. Consider Application to Change the Zoning to Accommodate Storage Units at 580 W 100 North

Commissioner packets included a memorandum from Ben White dated July 3,2019 regarding Carr Printing Property located at 580 West 100 North West Bountiful.

The memorandum included the following information:

The Cirrus Group desires to convert the Carr Printing building into a climatized indoor storage facility. The property is in the C-G (General Commercial) zoning district just north of the Costco store. The Cirrus Group is requesting a rezone of the property or a text change to the existing C-G zoning ordinance because Indoor Storage is currently not an allowed use in the C-G zone.

A letter from the Cirrus Group outlines why they believe the rezone request is in the best interest of the City. The applicant has removed its initial request for outdoor storage from the application.

The Planning Commission is tasked with soliciting public input, conducting their own analysis, and making a recommendation to City Council. Options available to the Planning Commission include:

1. No zoning changes which would prohibit storage type projects in this area.
2. Change the municipal code to allow storage in some fashion to the C- G Zone. With this option, staff would recommend placing specific restrictions on storages such as indoor,

climatized storage only. Other items to consider include size, retail component, hours of operations, security and proximity to similar uses.

3. Rezone the property to C-H (Commercial Highway) with or without additional changes/restrictions to the municipal code. The Utah Supreme Court has left zoning to the discretion of local municipalities. In short, what we may consider a “spot zone” is allowed by the State. Whether it is allowed or not, does not necessarily mean it is a good idea in this case. A rezone to C-H without a code change would allow any indoor storage with outdoor storage components being an allowed conditional use. To include a text change which limits the storage could negatively impact the remainder of the C-H zone.

The applicant has provided a proposed site plan and architectural drawings to help the city visualize what the facility would look like.

When considering a rezone request, the Planning Commission must remember that future uses will not be limited to the proposed use, i.e., indoor storage, but would include all uses allowed in the new zone.

Chairman Hopkinson introduced the proposed changes and gave a brief review. He invited the Commissioners to make comments on their thoughts regarding the applicant’s request.

Commissioner’s Comments:

Chairman Hopkinson stated that much thought has been put into this proposal. He is not in favor of spot zoning or changing text in the C-G zone to accommodate the storage unit use. In speaking with retailers surrounding that area, they are not in favor of that type of use as well.

Corey Sweat appreciates the situation of the applicant. He explained that his business is in a similar situation and may be forced to relocate. He respects personal property owner rights but the choices they make as a Commission affect all businesses in the area. A lot of money was spent to develop this area into a strong retail area. He is not in favor of changing the use in the C-G zoned at all or to accommodate a spot zone request.

Laura Charchenko concurs with Commissioner Sweat and also appreciates the applicant’s desires and request but does not see that options 2 and 3 are viable and believes they would be problematic. She feels that Option 1 is the only solution she can support at this time.

Dee Vest pointed out that the owner has some very good points supporting the use of storage in this area due to the inability to find retail users, but spot or rezoning would not be a favorable option that he could support, although he is willing to listen to other options.

Chairman Hopkinson invited the applicants to look at other areas within our City for developing this type of business as he feels it is a great idea and needed in our community. He requested that Staff prepare a letter to the City Council from the Commission stating the efforts they have made in considering this request and the reasons for their decision.

Staff will draft the letter requested by Chairman Hopkinson and send it via email tomorrow. Mr. White asked that the Commissioners respond quickly to the email so they can have the letter ready for the Council packets on Thursday.

4. Public Hearing – Proposed Changes to Construction Standards and Specifications for West Bountiful

Chairman Hopkinson briefly summarized the proposed changes to Construction Standards and Specifications document.

ACTION TAKEN:

Laura Charchenko moved to open the public hearing on Proposed Construction Standards and Specifications for West Bountiful at 8:02 pm. Dee Vest seconded the motion and voting was unanimous in favor.

No Public Comment was given.

ACTION TAKEN:

Corey Sweat moved to close the public hearing 8:03 pm. Dee Vest seconded the motion and voting was unanimous in favor.

5. Consider Proposed Changes to Construction Standards and Specifications for West Bountiful

Commission packets included a memorandum from Ben White dated July 5, 2019 regarding the proposed updates to the Public Works Construction Standards with an attached copy of the minimum construction standards. The memorandum included the following information:

House Bill 232 in the 2017 General Legislative Session defined Construction Standards and Specifications (Standards) as a “Land Use Regulation.” The Bill states that Land Use regulations will be adopted by ordinance. West Bountiful City complied with this new law in 2017 when construction standards were updated. State law now requires a public hearing to be held prior to the Planning Commission making a recommendation to City Council.

Substantive changes to the Standards include:

1. Detail 297SP: Update the distance requirement between the main and accessory structures to reflect the new 8 ft. minimum.
2. Detail 384 and 385SP: Update the minimum pavement thickness to 4 inches.
3. Also added text which prohibits the splicing of water service laterals between the water main and water meter setter.
4. Detail 521SP: Add detail for water meters located in driveways.
5. Street Light Base: Add detail to require concrete bases for all new residential streetlights.
6. Change minimum concrete sidewalk thickness to 6 inches.

Ben White pointed out to the Commission that Items 1-4 listed in the memorandum are the result of changes made over the past year. Items 4 and 5 are new requirements. A brief discussion took place.

ACTION TAKEN:

Corey Sweat moved to approve the proposed changes to the Construction Standards and Specifications for West Bountiful. Laura Charchenko seconded the motion and voting was unanimous in favor.

6. Review Updates to the Housing Section of the General Plan

Commissioner packets included a clean copy of updates to Section 6-4 of the Housing Section of the General Plan based on discussion at the last meeting. Staff still needs to go through the remaining portions of the Housing section and clean it up. Chairman Hopkinson asked for Commissioner's comments regarding the document.

Councilmember Enquist stated that he thinks the document reads well.

Dee Vest concurred.

Corey Sweat suggested the period in the last sentence of the first paragraph in the Accessory Dwelling Units section be moved to follow multifamily projects and delete, "*such as multistory apartment complexes*". The rest of the document looks great to him.

Laura Charchenko suggested adding "*Some of*" to the second sentence in the Housing Resources and Programs section as not all programs are listed.

The Commission supported both proposed changes.

7. Staff Report**Ben White**

- Parking lot/sidewalk repair at City Hall will be completed in 2 to 3 weeks.
- Atwater Subdivision will begin construction soon. Work in all other subdivisions continues.
- 1100 West from canal to Millcreek Meadows – the city will add curb and sidewalk.
- Pages Lane will be completed next week - it will take approximately 2 days.
- Mtn. View will delay putting in the finished road until all dirt is in place and heavy trucks are not an issue - should be around September.

Cathy Brightwell

- As decided in the last meeting, there will be no Planning commission meeting held on July 23rd. If needed, there will be a meeting scheduled on July 30th. The August 13th City Council meeting has been cancelled as well due to the Primary election.
- The General Plan review is taking longer than expected. The goal is to finish the Housing section in time for the July 30 meeting. If Staff is unable to meet that date, you will be contacted.

Additional Discussion:

Dee Vest requested that construction road signs taken down when not applicable.

Corey Sweat inquired about the Highgate Development. Ben reported that it is a big project that has faced some unexpected challenges. It has gone slower than some projects in the City, but they should be showing some notable progress in the next week or two.

Chairman Hopkinson gave lots of compliments to the Parade/Events Committee for the 4th of July Celebration and would like that passed on to the Arts Council and City Council.

8. Consider Approval of Minutes from June 25, 2019 meeting.

ACTION TAKEN:

Corey Sweat moved to approve of the minutes of the June 25, 2019 meeting as presented. Laura Charchenko seconded the motion and voting was unanimous in favor.

7. Adjournment

ACTION TAKEN:

Laura Charchenko moved to adjourn the regular session of the Planning Commission meeting at 8:29 pm. Dee Vest seconded the motion. Voting was unanimous in favor.

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The foregoing was approved by the West Bountiful City Planning Commission on August 27, 2019 by unanimous vote of all members present.

Cathy Brightwell
Cathy Brightwell – City Recorder

