

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
Dennis Vest, Alternate

THE WEST BOUNTIFUL PLANNING COMMISSION WILL HOLD ITS REGULAR MEETING AT 7:30 PM ON TUESDAY, JUNE 25, 2019 AT THE CITY OFFICES

Prayer/Thought by Invitation

1. Accept Agenda.
2. Discuss Application for Rezone from Cirrus Group for Property at 580 West 100 North.
3. Discuss Construction Standards Update.
4. Discuss Moderate Income Housing Requirements for General Plan.
5. Staff report.
6. Consider Approval of Minutes from the May 28, 2019 Meeting.
7. 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 June 20, 2019 by Cathy Brightwell, City Recorder.

**West Bountiful City
Planning Commission Meeting**

June 25, 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 June 20, 2019 per state statutory requirement.*

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, June 25, 2019 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

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

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

VISITORS: Gary Jacketta, Dave Tovey, Jordan Jensen, Jessie Garth, Carson Tovey, Hunter Tovey, Hunter Thomson, Chris Rutledge, Guy Goddard, James Thomson.

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

1. Accept Agenda

Chairman Denis Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda. Alan Malan seconded the motion. Voting was unanimous in favor among all members present.

2. Discuss Application for Rezone from Cirrus Group for Property at 580 West 100 North

Commission packets included a memorandum dated June 19, 2019 from Ben White regarding 580 West 100 North (Carr Printing Property) with attached application to rezone and a letter from James Thomson/Cirrus with site plans and photos.

Memorandum included the following information:

- The Cirrus Group desires to convert the Carr Printing building into indoor climatized storage, with several recreational vehicle parking spaces and construct more traditional storage facilities on the perimeter of the property. This property is located in the C-G (Commercial General) zoning district just north of the Costco store. The Cirrus Group is requesting a rezone of the property because Storage is not an allowed use in the current zone.
- The L-I (Light Industrial) zone will accommodate the applicants land use request as both indoor and outdoor storage is allowed in the L-I zone.
- The C-H (Commercial Highway) zone allows for indoor storage only. If the property were zoned C-H, only the outdoor boat and RV storage would be excluded.
- The applicant has provided a proposed site plan and architectural drawings to help the city visualize what the facility would look like. A letter from Mr. James Thomson outlining why the applicant believes the proposed rezone request is a good idea is also included.

- When considering a rezone request, the Planning Commission must remember that future land uses are not restricted to the land use that is proposed. Any land use allowed in the zone would be legal following a rezone.
- A public hearing is required before the Planning Commission can make a recommendation to the City Council.

James Thomson with Cirrus Group was invited to take the stand. Mr. Thomson is in the process of purchasing the land and desires to change the use of the land to accommodate storage units. He explained some of the challenges the property faces and how they would work to improve the look of the property. This building is not ideal for retail use and if used for that purpose would increase the traffic problems in the area. He pointed out that storage units will not create added traffic problems as only a few customers are likely to access the property each day. He explained that the owner has had difficulty finding a retail buyer and if this request is denied, the property is likely to sit vacant for years to come.

Chris Rutledge/Architect took the stand and described some of the current features of the building that is 41,000 square feet and sits on approximately 3 acres of property. He explained that they propose adding a second floor to the area that is currently single level. They propose some RV parking on the north side of the building with more typical storage units added to the perimeter of the property. The area will be secured by rod iron fencing with locked entry gates. The existing building is in good shape so will not be demolished which is a plus but renovated to meet their needs. He described each area of the building and what type of storage units will exist in their current proposal. The number of each mix of units has not been established. It will be approximately 52,000 sq. feet when completed. The building is climatized and there will be an elevator to access the top floor.

Hunter Thomson/Appraiser took the stand. He stated that he recently retired after many years appraising similar properties. This is a unique piece of property with a building in good condition and is attractive to the light industrial type user. The building is not conducive to retail because of the two stories and limited parking. He feels that the proposed storage structure is the perfect solution for this area.

Ben White provided several options to accommodate the request, if desired by the planning commission, including changing the zone for this specific property, making a text change to the current zone with restrictions, changing the zone for the entire area, or making a recommendation to deny the request. He reminded the Commission that once land is rezoned, it stays that way forever. Before this request can be sent to the city council a public hearing must be held.

Chairman Hopkinson noted that the city has not been in favor of spot zoning. He explained some of the dynamics of the property to the Commissioners including the traffic congestion from Costco and the Commons area. He invited the Commissioners to make comments:

Comments:

Alan Malan is not in favor of spot zoning. He inquired about the what type of security they would have, and Ben White pointed out the rod iron fencing around the property. He was concerned about the RV storage and the traffic situation that could occur especially on weekends.

Laura Charchenko asked if a printing company can continue to be a user in that zone as a grandfathered use. Ben White answered yes. She has concerns about changing it to light industrial and what happens if the company sells to another buyer in the future, we have no control over what type of business could be there and it may not be favorable to that area.

Corey Sweat is not in favor of a rezone. He wants to protect the investment made by the taxpayers to convert this area into prime retail space.

Mike Cottle concurred with Commissioner Sweat's comments.

Dee Vest stated that his first thoughts would be not to rezone, but after listening to the buyer and thinking about some of the arguments especially the difficulty finding retail customers to take the space and the problems they would bring, he might be willing to reconsider. His primary concern is what could happen in the future if this business sold after rezoning it – he wants to maintain control of the property.

Councilmember Enquist pointed out that this land previously contained storage units before it turned into a commercial area and they were not so inviting. He is okay with the indoor storage but not in favor of the RV parking and storage units on the outside.

Denis Hopkinson asked Ben White if there is any type of storage units allowed in the current zone. Mr. White responded there is not but noted that a simple text change could be added to the language in the current zone to allow for indoor storage. Mr. Hopkinson is not in favor of spot zoning or a simple language change and does not believe this type of business fits with the rest of the area. He said he could be supportive of allowing it as a Conditional Use if the right restrictions are included. Chairman Hopkinson noted that the proposed Light Industrial zone will not work in this area, but there could be several different options that can be reviewed to make it work.

Duane Huffman took the stand and noted that if the planning commission wants to make a change, there are some ways that this storage can be allowed by a text change in our current ordinance. He recommends a text change over a zone change. He pointed out that this is really the only area that West Bountiful has left for retail space and its use should be carefully considered.

Gary Jacketta asked how many RV storage units would be allowed. The applicant responded that there would be approximately 16 units for RV parking.

ACTION TAKEN:

Corey Sweat moved to schedule a public hearing on the applicant's request for a rezone of the property located at 580 West 100 North (Carr Printing Property) at the first available time. Mike Cottle seconded the motion and voting was unanimous in favor.

Staff will set the public hearing for July 9th, 2019.

3. Discuss Construction Standard Update

Commission packets included a memorandum dated June 21, 2019 from Ben White regarding updating Public Works Construction Standards with an attached copy of West Bountiful City Minimum Construction Standards.

Memorandum included the following information:

- House Bill 232 in the 2017 General Legislative Session defined Construction Standards and Specifications as a “Land Use Regulation.” The Bill further stated that Land Use regulations will be adopted by ordinance. We complied with this new law when we updated our construction standards in 2017. State law now requires a public hearing be held to receive public input prior to the Planning Commission making a recommendation to City Council.
- Substantive changes to the Standards include *Detail 297SP* which updates the distance between the main and accessory structures to a minimum of 8 ft. to match a recent ordinance change. *Detail 384* and *385SP* updates the minimum pavement thickness to 4 inches and adds text which prohibits the splicing of water service laterals between the water main and water meter setter. *Detail 521SP* adds detail for water meters located in driveways and details that require concrete bases for all new residential streetlights.
- Public Works would like to see a new requirement that concrete for all new sidewalks be 6 inches thick. The rationale is that sidewalks in new subdivisions must be removed and replaced where proposed driveways are located. The additional thickness would match the thickness of the driveway and reduce the damage to the remainder of sidewalk during construction.

Discussion:

There was discussion about the thicker concrete standard and Chairman Hopkinson pointed out that there is no downside for the City with this proposal. Commissioner Malan commented that it may not be necessary to require the additional cost the resident will incur by requiring the 6 inches over the current 4 inches. Additional discussion took place. Mr. Malan also requested that under the Storm Drain Section that item d. include a better definition.

There will be a Public Hearing scheduled for this item on July 9th, 2019.

4. Discuss Moderate Income Housing Requirements for General Plan

Commissioner packets included a redline copy of Section 6.4 - Tools and Implementation Strategies of the General Plan Section VI Housing.

Ben White reviewed the changes that were made.

The following changes were suggested by the Commissioners:

- Strike the verbiage “wider” in the second paragraph.
- Under Accessory Dwelling Units, strike “multistory apartment complexes”.

Senate Bill 34 requires at least 3 strategies for municipalities to implement in their general plan, Ben White noted that our ADU implementation can be counted as #1; Impact fees have been waived for ADU's which satisfies the second strategy; and our third strategy is listed under Home Ownership as an item to investigate. These fulfill the necessary requirements that need to be met.

Chairman Hopkinson referred to Item V which suggests that a municipality utilize a MIH set aside for a community reinvestment agency, redevelopment agency, or community development and renewal

agency as a possible consideration. He noted that Item V is not needed to meet the state requirement but could be one that the city may want to consider. This would fall in line with the proposal we received this evening for the development of the Carr Print building. He asked the Commissioners to come up with some ideas of building use for the property brought before us tonight in that area.

5. Staff Report

Ben White

- 800 West road closure this week was due to the School project but there will be more closures on 800 West to come in the next year.
- He is expecting an application for a new building to be erected where the former Pizza restaurant was next to Barnes and Noble in Gateway area.

Cathy Brightwell

- The July 9th a meeting will be held and then there will be no meeting on July 23rd due to the 24th Holiday or August 13th because of the Primary Elections. We may need to schedule a meeting on July 30th if necessary.

6. Consider Approval of Minutes from May 28, 2019 meeting.

ACTION TAKEN:

Corey Sweat moved to approve of the minutes of the May 28, 2019 meeting as corrected. Laura Charchenko seconded the motion and voting was unanimous in favor.

7. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:45 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.

.....

The foregoing was approved by the West Bountiful City Planning Commission on July 9, 2019 by unanimous vote of all members present.



Cathy Brightwell – City Recorder

