

Mayor
Kenneth Romney

**City Engineer/ Land
Use Administrator**
Kris Nilsen

**City Recorder/
Community
Development**
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 PLANNING COMMISSION WILL HOLD A REGULAR
MEETING AT 7:30 PM ON TUESDAY, OCTOBER 27, 2020**

Meeting will be held exclusively via Zoom (see info below)

The Mayor and the Planning Commission Chair have determined that due to the current COVID-19 pandemic and the physical distancing required to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present at the meetings. That risk can be substantially mitigated by holding this meeting through electronic means that allow for public participation without an anchor location.

Prayer/Thought by Corey Sweat

1. Accept Agenda.
2. Consider Small Plat Subdivision Request for Overton at 1014 W Pages Lane.
3. Discuss Historic Overlay District Regulations.
4. Staff report.
5. Consider Meeting Minutes from October 13, 2020.
6. Adjourn.

Join Zoom Meeting

<https://us02web.zoom.us/j/83398648358>

Meeting ID: 833 9864 8358

One tap mobile

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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 October 23, 2020 by Cathy Brightwell, City Recorder.

**West Bountiful City
Planning Commission Meeting**

October 27, 2020

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 October 23, 2020 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, October 27, 2020 at West Bountiful City Hall, Davis County, Utah.

Due to the Coronavirus outbreak this meeting was held by teleconference measures using Zoom.

Those in Attendance:

MEMBERS ATTENDING: All attending via Zoom: Chairman Denis Hopkinson, Vice Chairman Alan Malan, Mike Cottle, Dee Vest, Corey Sweat, Laura Charchenko, and Council member Kelly Enquist.

STAFF ATTENDING: Kris Nilsen (City Engineer), Cathy Brightwell (Recorder) in house, Steve Doxey (Legal) and Debbie McKean (Secretary) via Zoom.

VISITORS: Via Zoom: Gary Jacketta

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

Chairman Hopkinson read the following message: The Mayor and the Planning Commission Chair have determined that due to the current COVID-19 pandemic and the physical distancing required to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present at the meetings. That risk can be substantially mitigated by holding this meeting through electronic means that allow for public participation without an anchor location.

1. Accept Agenda

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

2. Consider Small Plat Subdivision Request for Overton at 1014 W Pages Lane

Commissioner packets included a memorandum from Duane Huffman dated October 22, 2020 regarding Minor Subdivision – Overton – 1014 West 1600 North with an attached application for Preliminary Plat for Beverly Olsen Estate/Amanda Overton and court documents.

Introduction

Cathy Brightwell introduced this agenda item and noted the issues that have evolved with this property in the court. The owners of the property located at 1014 W Pages Ln. have applied to be divided into two parcels based on a divorce decree and quiet title order. West Bountiful Municipal Code 16.16.020.F allows a sub-divider to present the survey map directly to the city council following a recommendation

by the planning commission. She noted that it is a minor subdivision and referred to the copy of the plat describing the property as divided.

Background

- This property was approved for a subdivision by the city in 2016 (Olsen Farms 8). However, the property owner never recorded the approved plat, and that subdivision approval has subsequently expired.
- The property was later involved in an ownership dispute, and court order dated July 7, 2019 requires the division of the property as shown on the proposed survey map. Even with a court order, property owners are required to follow municipal subdivision requirements.

Staff Analysis

The proposed minor subdivision appears to be consistent with West Bountiful subdivision requirements. Public improvements that were required in 2016 are now in place.

During the court process it was discovered that the legal descriptions from the survey map had a few minor issues which have now been corrected. It is likely that the two parcels will be further subdivided in the future.

Staff recommends that the planning commission forward a positive recommendation for approval to the city council.

Action Taken:

Corey Sweat moved to forward to the city council a positive recommendation for the preliminary plat application for a minor subdivision for the Overton/Olsen Subdivision at 1014 W Pages Lane. Laura Charchenko seconded the motion and voting was unanimous in favor.

3. Discuss Historical Overlay District Regulations

Commissioner packets included a memorandum dated October 22, 2020 from Staff regarding the Historical Overlay District ("HOD"), a copy of the regulations, and the West Bountiful Historic District map.

Cathy Brightwell introduced this agenda item that was discussed at the last meeting in conjunction with a request from Blake Heller to have his property removed from the historical overlay district. She informed the Commission that Mr. Heller is in the process of contacting all homeowners in the Heritage Pointe subdivision to make modifications to the CCR's for Heritage Pointe to be consistent with the elimination of the HOD should the city decide to do so.

Current Historical Overlay District

The HOD currently consists of approximately 27 properties along portions of 800 West plus the 36 lots in Heritage Pointe subdivision. Included in these numbers are 1 vacant lot in Heritage Pointe, 1 vacant lot on 800 West, and a 6.7 acre property that is mostly undeveloped.

The current boundaries of the HOD are irregular in shape. On the east side of 800 West, the District begins at the Fisher home on 1000 N and goes south to the Mackey home on the north side of city hall. This includes the Pages Circle subdivision built in 2007 and an LDS chapel. On the west side of 800 West, the District begins with the Hopkinson property (1200 N) and goes south to the DeWaal home on 400 N.

The west boundary juts in and out in several places excluding a few homes built in the late 1800's. This west portion also includes the Heritage Pointe subdivision. The age of homes in the District range from 1882 to 2019.

Background of the original West Bountiful Historic District

In May 2004, the West Bountiful Historic District was added to the National Register of Historic Places. The location was listed as 800 West (Onion St) from 400 North to roughly 1350 North (both sides of the street). The District was comprised of 42 primary buildings, 26 outbuildings, a chapel and the old city hall. Buildings were described as mid-19th century, late Victorian, late 19th and 20th century revivals, late 19th and 20th century American movements and modern movements. Materials included stone and concrete foundations, brick, wood, metal, and stucco walls, and asphalt and wood shingle roofs.

Next Steps

At its last meeting, the planning commission discussed removing Heritage Pointe subdivision from the HOD but wanted more time to evaluate the impact to the properties on 800 West also included in the District. It was also suggested that a review of the current general plan and its references to the historic district was important.

Regarding the map and why some properties were on it and some left off, **Chairman Hopkinson** pointed out that some homes did not want to be included, could not be contacted or had been modified to the point they were no longer considered historic. Noncontributing buildings are those that are not in compliance with historic architecture. There was a desire to update the map to better reflect the historic homes in the city and some discussion took place regarding whether or not to contact them to get their thoughts as changes are considered.

Possible changes to the Historical Overlay District code were discussed to relax the requirements but still create the desired historic feel in the area.

Alan Malan suggested taking out all the design regulations but leaving an updated map in place. He is not sure anyone would care if they were within the district or not and noted that the benefit of having the district is noted in the city's general plan.

Mr. Doxey offered some options: 1) Do nothing - leave HOD in place, 2) modify the boundaries of the district, 3) make a drastic change to the HOD, or 4) modify or eliminate the regulations in the HOD. He feels it makes sense to have a land use area recognizing the Historic area and have general regulations. Staff can offer suggested changes to the general plan, so they correlate with the district.

Chairman Hopkinson suggested the HOD be a cosmetic only zone. He feels it is important to keep references in the general plan regarding city roots but does not see Heritage Pointe as being part of that. Modification to the zone can mimic the historic registry.

Dee Vest prefers to roll things back to where it was before the Heritage Pointe Subdivision was added and maybe add the few homes that should be included that were not on the map.

Alan Malan noted that the district used to be different than what is shown on the current map. He favors having a Historic District without the overlay zone and keep it in compliance with the general plan.

Corey Sweat noted that we have had multiple requests from individuals that want to be removed from district and nobody has requested to be added to the district which shows it may not provide any benefits.

Laura Charchenko supports dropping the overlay and keep the Historic District without regulations.

Mike Cottle concurred with Commissioner Charchenko.

Chairman Hopkinson noted that it is a struggle to meet the regulations of the overlay zone when trying to make upgrades to historic homes and can be costly.

Mr. Doxey suggested to change the zoning map and keep regulations as they are with a few modifications. The review process could include a review board to make recommendation to the planning commission which could include streetscapes and signage to add the flavor of the district rather than structural material requirements. It was noted that these items have been explored in the past, but the City did not have funding to support it. He noted that another public hearing will be necessary before changes to the HOD code can be changed.

Chairman Hopkinson directed staff to come up with a new map and language to drop the overlay zone regulations which the commission can review before having the public hearing. Mr. Malan would like a few pictures included in the document and make the architectural design book available for the review of the commission

4. Staff Report

Kris Nilsen

- Parking lot curb elevations between the school and city building have been reviewed and a solution has been agreed upon.
- Pickle ball RFP has been issued.

Cathy Brightwell

- Olive Garden enlarged their plans to include more space for carry out and plans to open in December.
- Santorini's Greek Café should open in a few weeks.
- Winger's Brew House will be going in where Mikado's was located.
- Chevron Gas Station on the south side of 400 N is staying.
- Under Five is a business where everything is under 5 dollars and merchandise is targeted to pre-teens and teens. It will be located in old Barnes and Noble space.

5. Consider Meeting Minutes from October 13, 2020

Action Taken:

Corey Sweat moved to approve of the minutes of the October 13, 2020 meeting as presented. Alan Malan seconded the motion and voting was unanimous in favor.

6. **Adjourn**

Action Taken:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:29 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 November 10, 2020, by unanimous vote of all members present.



Cathy Brightwell – City Recorder

