

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
Alan Malan

Commissioners
Mike Cottle
Laura Mitchell
Corey Sweat
Dennis Vest

**THE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
AT 7:30 PM ON TUESDAY, MARCH 8, 2022, AT THE CITY OFFICES**

AGENDA:

1. Prayer/Thought - Commissioner Mitchell.
Pledge of Allegiance – Commissioner Sweat.
2. Confirm Agenda.
3. Public Hearing – Proposed Changes to WBMC 15.08.050 Public Improvements as a Condition of Building Permit Approval.
4. Public Hearing – Proposed Changes to WBMC 17.14.050, 17.16.040, 17.20.050, 17.24.050 Yard Regulations Correcting Side Yard Setbacks in Residential Zones, and 17.04.030 Definition of Building.
5. Blackgate Investments, LLC's Proposal to Lease Land to Manheim Auto Auction in Exchange for Land Adjacent to Highgate Estates Fronting 1450 West.
6. Consider Public Improvement Requirements as a Condition of a Building Permit.
7. Consider Clarifications for Yard Regulations in Residential Zones.
8. Discuss Olsen Farms 8 Subdivision Preliminary Plat.
9. Consider Meeting Minutes from February 22, 2022.
10. Staff report.
11. Adjourn.

This notice has been sent to the Davis Journal and was posted on the State Public Notice Website and the city website on March 4, 2022, by Cathy Brightwell, City Recorder.

**West Bountiful City
Planning Commission Meeting**

March 8, 2022

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 March 4, 2022, per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, March 8, 2022, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS ATTENDING: Chairman Alan Malan, Commissioners Dennis Vest, Laura Mitchell, Mike Cottle, Corey Sweat, and Council member Kelly Enquist.

STAFF ATTENDING: Kris Nilsen (City Engineer), Cathy Brightwell (Recorder), and Debbie McKean (Secretary).

VISITORS: Todd Willey and Jay Gough.

The Planning Commission meeting was called to order at 7:30 pm by Chairman Malan.

1. **Prayer by Commissioner Mitchell.
Pledge of Allegiance- Commissioner Sweat**
2. **Accept Agenda**

Mike Cottle moved to approve the agenda as presented. Dennis Vest seconded the motion. Voting was unanimous in favor among all members present.

3. **Public Hearing- Proposed Changes to WBMC 15.08.050 Public Improvements Requirement as a Condition of a Building Permit.**

Action Taken:

Laura Mitchell moved to open the public hearing at 7:33 pm to receive comments regarding Proposed Changes to WBMC 15.08.050 Public Improvements Requirements as a Condition of a Building Permit. Dennis Vest seconded the motion and voting was unanimous in favor.

Cathy Brightwell reviewed the proposed changes.

Public Comments: None

Action Taken:

Mike Cottle moved to close the public hearing at 7:35 pm regarding Proposed Changes to WBMC 15.08.050 Public Improvement Requirement as a Condition of a Building Permit. Dennis Vest seconded the motion and voting was unanimous in favor.

4. **Public Hearing- Proposed Changes to WBMC 17.14.050, 17.16.040, 17.20.050, 17.24.050 Yard Regulations Correcting Side Yard Setbacks in Residential Zones and 17.04.030 definition of Building.**

Action Taken:

Laura Mitchell moved to open the public hearing to receive comments regarding Proposed Changes to WBMC 17.14.050, 17.16.040, 17.20.050, 17.24.050 Yard Regulations, Correcting Side Yard Setbacks in Residential Zones and 17.04.030 definition of Building at 7:36 pm. Mike Cottle seconded the motion and voting was unanimous in favor.

Cathy Brightwell reviewed the proposed changes.

Public Comments: None

Action Taken:

Mike Cottle moved to close the public hearing at 7:38 pm regarding Proposed Changes to WBMC 17.14.050, 17.16.040, 17.20.050, 17.24.050 Yard Regulations Correcting Side Yard Setbacks in Residential Zones and 17.04.030 definition of Building. Corey Sweat seconded the motion and voting was unanimous in favor.

5. **Blackgate Investments, LLC's Proposal to Lease Land to Manheim Auto Auction in Exchange for Land Adjacent to Highgate Estates Fronting 1450 West.**

Commissioner packets included a proposal from Todd Willey, BlackGate Investments, LLC with an aerial photo of the site and site plan attached.

Cathy Brightwell introduced the issue explaining that Manheim Auto Auction is in need of additional land to park overflow vehicles. Blackgate Investments has submitted a proposal for Commission review.

Todd Willey and Jay Gough explained the situation and their proposal to help Manheim in exchange for 3 acres of residential land adjacent to Highgate Estates. The proposal consists of the following:

1. Blackgate will lease the Auto Auction 6.75 acres of Onion Patch Securities' property – north of Manheim and south of the future road in Highgate 2 subdivision.
2. A developer's agreement will be drafted stating the land lease will be for a maximum period of ten (10) years, and after said period the land will revert back to Onion Patch Securities.
3. The 6.75 acres will be grubbed and fenced. It will have a clean appearance.
4. Blackgate Investments will receive approximately 3.32 acres in exchange for the land lease fronting 1450 West just southwest of Highgate Estates.
5. Blackgate Investments will construct four (4) new homes on 1450 West starting at "Tailgate Acres" moving north including enough additional acreage to form 4-1 acre lots. This will allow Highgate Estates to "close the gap" within Highgate making for a complete looking neighborhood.
6. Blackgate investments is seeking "spot zoning" for our 6.75 acres on a temporary basis (10 years). Blackgate investment recognizes that spot zoning is not common, however, closing in the existing neighborhood and blocking the view of the existing Auto Auction business from plain site would be of significant benefit to all existing property owners.
7. Blackgate Investments believes that with all the proposed development circling this area, placing this 6.75 acres on hold for the next 10 years will be of benefit to the community and city alike.

Commissioners asked questions to clarify some of the points presented. There was discussion about future development and making sure this proposal does not create a block of land that would be unusable or block future access that may be desired as part of surrounding developments. It was suggested that the spot zone be a temporary overlay zone with a development agreement that expires in 10 years.

Cathy Brightwell noted some additional steps may need to be taken to subdivide the Manheim parcel going to Blackgate and rezone the property to be leased.

Planning Commissioners agreed that the proposal is in the best interest of the city and suggested staff work with legal to come up with some options to make it work.

8. Consider Public Improvement Requirements as a Conditional of a Building Permit.

Cathy Brightwell reviewed the current draft that includes changes from the last meeting. WBMC 15.08.050.A 1-4, was changed to separate primary dwellings and commercial structures from non-commercial structures so that it was clear which ones apply. Clarification was also added to show that non-commercial structures are only included when connected to a public utility in the public street.

There was also discussion about accessory structures and whether they should ever be included in the list that requires public improvements. Commissioners agreed that they should not.

Action Taken:

Corey Sweat moved to approve the current draft of WBMC 15.08.050 and 16.20.020 and forward to City Council for their review and approval. Laura Mitchell seconded the motion and voting was unanimous in favor.

9. Consider Clarifications for Yard Regulations in Residential Zones.

Cathy Brightwell reviewed the current draft of changes that correct and clarify yard regulations. She noted that the side setback changes also impact height regulations in the A-S and A-1 zones so those have been clarified. Another change clarifies that when 3 foot setbacks are allowed, the adjacent wall, rather than entire structure, will be built to fire code standards.

In Section 17.04.030, the definition of building includes recreation and landscape enhancements. It was determined that they should be removed from the definition.

Action Taken:

Corey Sweat moved to approve the current draft of WBMC 17.04.030, 17.14.050 & 060, 17.16.050 & 060, 17.20.050, and 17.24.050 and move it forward to City Council for their review and approval. Dennis Vest seconded the motion and voting was unanimous in favor.

10. Discuss Olsen Farms 8 Subdivision Preliminary Plat.

Planning Commission packets included a memorandum dated March 4, 2022, from Kris Nilsen regarding Olsen Farms Estates Subdivision Plat 8 - Discussion with attached site plans attached.

Kris Nilsen explained that Chree Martin submitted a proposal for a 4-lot subdivision for her property at 1695 N Olsen Way. The property consists of 1.77 acres and is within the R-1-10 zone. He reviewed the following points of interest as listed below:

Points of interest or discussion include:

1. Lot 801 frontage does not meet minimum requirements of 85 feet of width at the front set back of 30 feet. Current designed width measures 83.43 feet at the front setback. Revise lot layout to provide minimum 85 feet lot width at front setback for lot 801.
2. Most of Lot 801 is in the Flood Plain Zone X and therefore finished floor elevations of proposed structures will be required to be one foot above flood plain elevation.
3. Provide approval from the easement owner for the service lateral crossings of existing easements on Lot 804 (Natural gas easement and South Davis Sewer District).
4. Existing structure on Lot 803 to be demolished and removed.
5. Existing structure on Lot 802 is to remain. But Kris feels like in the future that would be demolished.
6. Connect all lots to existing secondary pressure water system in street.
7. Replace existing damaged sidewalk on frontage of project property.
8. The project is within 175 feet of three existing streetlights, no additional streetlights are proposed. Fire hydrants meet requirements as well.
9. Site drainage is designed to flow to the street frontage or be collected in the existing and proposed storm drainpipe. No drainage will flow west or south onto adjacent properties.

Staff has reviewed the proposed preliminary plat and has forwarded comments to the developer. The purpose of tonight's review is to provide an opportunity to the Planning Commission to become familiar with the proposed subdivision.

Alan Malan asked for the engineer checklist to accompany the final plat. Kris Nilsen will provide a list of what still needs to be addressed along with the engineer's checklist of requirements when the final plat comes back for approval.

11. Consider Meeting Minutes from February 22, 2022.

Action Taken:

Laura Mitchell moved to approve the minutes of the February 22, 2022, meeting as presented. Corey Sweat seconded the motion and voting was unanimous in favor.

12. Staff Report

Kris Nilsen

- Weber Basin issued a notification that they will likely restrict outdoor watering to one day a week and a 60% reduction in contracted amounts for secondary water. Water will not be turned on until mid-May. This affects everyone but especially the golf course and park so they are discussing plans to address this.
- Monday's neighborhood meeting for the 600 North project went well. Project should begin end of April or mid-May.
- 400 North Well is scheduled to be fluoride tested tomorrow.

- Ivory Homes has stated that they now own all of the Gardner-Plumb property on the west side. They are putting together a development plan to present soon.
- Working on the building permit for grading for the new Public Works Shop. The conditional use permit should be ready for planning commission's next meeting.

Cathy Brightwell

- The Hugoe property on the west end of 400 North has 2 lots they want to subdivide into two 1-acre residential lots. This would be a small lot subdivision.
- Beginning work again on an updated landscape ordinance to comply with Weber Basin conservation regulations. Once approved, West Bountiful residents will qualify for Weber's "Flip Your Strip" rebate program.

13. Adjourn.

Action Taken:

Laura Mitchell moved to adjourn the regular session of the Planning Commission meeting at 9:00 pm. Corey Sweat seconded the motion. Voting was unanimous in favor.

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The foregoing was approved by the West Bountiful City Planning Commission on March 22, 2022, by unanimous vote of all members present.


Cathy Brightwell – City Recorder

