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Minutes of the Bountiful City Council Meeting City Council Chambers April 12, 2005 - 7:00 p.m.

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Present:	Mayor	Joe L. Johnson
	Council Members:	Richard Higginson, Barbara Holt, R. Fred Moss (ar. 7:20 p.m, and Thomas Tolman
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	Admin. Services Director:	Galen Rasmussen
	Planning Director:	Aric Jensen
	Recording Secretary:	Nancy T. Lawrence
Excused:	Councilman:	John S. Pitt
	City Manager:	Tom Hardy

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.

Mayor Johnson called the meeting to order at 7:00 p.m. and welcomed those in attendance. Scott Elkins led the pledge of allegiance to the flag, following which Councilwoman Holt offered the prayer/thought.

MINUTES OF APRIL 5, 2005 APPROVED

Minutes of the regular meeting of the City Council held April 5, 2005 were presented and unanimously approved as written on a motion made and seconded by Councilmen Higginson and Tolman, respectively. Councilpersons Higginson, Holt, and Tolman voted "aye".

WEEKLY EXPENDITURES APPROVED FOR PERIOD MARCH 31, 2005 - APRIL 6, 2005

Mayor Johnson presented the Weekly Expenditure and Expense Report for the Period July 29 - August 11, 2004 in the amount of \$99,354.88. The staff responded to questions, following which Councilwoman Holt made a motion to approve the report as presented. Councilman Higginson seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, and Tolman voted "aye".

BID APPROVED FOR ANNUAL CONCRETE CONSTRUCTION PROJECTS - M.C. GREEN AND SONS, INC.

Mr. Rowland reported that bids were opened on April 5, 2005 for the annual concrete replacement concrete. In addition to curb, gutter and sidewalk repairs throughout the City, this contract will include the trailhead parking lot above Summerwood Estates, storm drain improvements and the installation of intersection handicap ramps at various locations throughout the city. It is the recommendation of staff that the low bid from M.C. Green and Sons, Inc. be accepted at the unit prices proposed. Mr. Rowland noted that because this contract does not tie the work to one specified project, the proposed total amount (\$530,825.00) is based on the staff's best estimate of the types and quantities of concrete and Strom drain repairs that are expected to be done in the next year. Councilman Tolman made a motion to award the bid to M. C. Green and

1 Sons, Inc., at the unit prices, as recommended. Councilman Higginson seconded the motion and
2 voting was unanimous. Councilpersons Higginson, Holt and Tolman voted “aye”.

3
4 **HILLS CONSTRUCTION AWARDED BID FOR**
5 **CONSTRUCTION OF GOLF COURSE PUMP STATION BUILDING**

6 Mr. Rowland reviewed that the steel building which currently houses the golf course
7 irrigation pumping system has deteriorated badly and this year’s budget includes replacement of
8 that building. Bids were opened April 5, 2005 and it is the recommendation of staff to accept the
9 low bid from Hills Construction in the amount of \$46,940.00. He noted that this bid will be above
10 budget (\$49,000) following the addition of an aluminum roof scuttle at a cost of \$3,260.00. (The
11 roof scuttle was *not* included in the bid and funding is available through other golf course
12 accounts). He explained that the roof scuttle will permit lifting the pumps out of the building for
13 required service, without removing a section of the roof. Following a brief discussion,
14 Councilwoman Holt made a motion to accept the bid of Hills Construction for the Golf Course
15 Pump Station Replacement Project in the amount of \$46,940.00, using the unit prices in their
16 proposal. Councilman Tolman seconded the motion and voting was unanimous. Councilpersons
17 Higginson, Holt and Tolman voted “aye”.

18
19 **FINAL SUBDIVISION APPROVAL GRANTED TO**
20 **LEWIS PARK, PHASE 6, SUBDIVISION**

21 Mr. Rowland presented the plat of Lewis Park, Phase 6, Subdivision (15 lots) and reported
22 that it is the recommendation of staff and the Planning Commission that final subdivision approval
23 be granted, subject to the following conditions:

- 24
25 1. Provide a final mylar drawing of the subdivision plat ready for signatures.
26 2. Payment of all required fees including, but not limited to:
27 a. Culinary water fee
28 b. Underground power fee
29 3. Posting of a subdivision bond and signing a Development Agreement with the City.
30 4. Provide a current title report.
31 5. Compliance with all other City ordinances and standards.

32
33 *Councilman Moss arrived at this time - 7:20 p.m.*

34
35 Councilman Higginson made a motion to grant final subdivision approval to Lewis Park
36 Phase 6 Subdivision, as presented and recommended. Councilwoman Holt seconded the motion
37 and voting was unanimous. Councilpersons Higginson, Holt, Moss and Tolman voted “aye”.

38
39 **PRELIMINARY AND FINAL APPROVAL GRANTED TO**
40 **HAYWARD SUBDIVISION - 149 SO 300 EAST**

41 Mr. Rowland presented the proposed two-lot subdivision of Nolan Hayward (149 South
42 300 East) and explained that this development splits an existing 22,830 sq. ft. lot into two lots.
43 Both lots meet the minimum lot size and minimum frontage requirements. Lot 2 will be a new,
44 vacant lot. Lot 1 will have the existing house and a small garage. This proposed subdivision has
45 been reviewed by the Planning Commission and comes with a favorable recommendation for
46 preliminary and final approval, subject to the following conditions:

- 47 1. Payment of the following fees:

1	Storm water impact fee	\$1,100.40
2	Subdivision checking fee	200.00
3	Subdivision recording fee	<u>50.00</u>
4	Total:	\$1,350.40

5
6 The water and sewer connection impact fees will be paid at the time each individual
7 building permit is issued.

- 8 2. Provide a final mylar drawing of the subdivision plat ready for signatures.
- 9 3. Provide a current title report.

10
11 Councilwoman Holt motioned to grant preliminary and final subdivision approval for the Hayward
12 Subdivision, as presented. Councilman Tolman seconded the motion and voting was unanimous.
13 Councilpersons Higginson, Holt, Moss and Tolman voted "aye".

14
15 **FINAL SITE PLAN APPROVED FOR ASSISTED**
16 **LIVING CENTER - 633 EAST MEDICAL DRIVE**

17 Mr. Jensen reviewed that the proposed assisted living center at 633 East Medical Drive was
18 considered by the Council four weeks ago and preliminary approval was granted. The developer is
19 now requesting final site plan approval. Mayor Johnson expressed appreciation that the desires of
20 the residents were considered and the proposed buildings are single level. Councilwoman Holt
21 expressed concern about the potential for drainage problems during heavy rains. Mr. Rowland
22 reviewed that the following accommodations were included in the development to offset potential
23 flooding problems: (1) the east building pad was raised one foot; (2) a berm was included on the
24 southerly part of the landscaping; and (3) the landscaping was raised on the north side of the
25 walkway.

26
27 This project has been reviewed by the Planning Commission and comes to the Council with
28 a favorable recommendation, subject to the following conditions:

- 29 1. The storm water impact is waived because of on-site detention.
- 30 2. Pay for (2) 1½" water meters and associated impact fees; total = \$13,153.00.
- 31 3. Pay for (2) 4" fire sprinkler line connections; total = \$3,000.00.
- 32 4. Pay for (1) fire hydrant and 6" water line connection; total = \$3,820.00.
- 33 5. Record 7' wide utility easement along all street frontages as shown on plans.
- 34 6. Make any minor site engineering corrections as per the City Engineer.
- 35 7. All building plans to meet the requirements of the ICC.
- 36 8. Obtain any and all State or Federal approvals necessary for an assisted living center
37 prior to occupancy.

38
39 Councilman Higginson made a motion to grant final site plan approval for the assisted living
40 center as presented and recommended. Councilman Tolman seconded the motion. Voting was
41 unanimous with Councilpersons Higginson, Holt, Moss and Tolman voting "aye".
42
43

44 **PRELIMINARY AND FINAL COMMERCIAL SITE PLAN**
45 **APPROVED FOR EL MATADOR RESTAURANT - 612 SO MAIN ST.**

46 Mr. Jensen presented the plans for a new El Matador restaurant at 612 South Main Street
47 (Artoosh Hasratian, applicant) and noted that due to time constraints associated with the joint

1 Bountiful/West Bountiful RDA project, the Planning Commission directed staff to move the
2 project forward as quickly as possible and the final engineered site plan drawings had not been
3 completed at the time at the time the project was submitted. The City Engineer has since met and
4 discussed the issues with the project engineer and the completed drawings are now available.
5 Based on the drawings available when reviewed by the Planning Commission, approval is
6 recommended, based on the following conditions:

- 7 1. Submit fully engineered final site plan drawings meeting the approval of the City
8 Engineer and Planning Director.
- 9 2. Revise landscaping plan to specify the types and number of plantings proposed with
10 an emphasis on buffering the adjacent residential dwellings.
- 11 3. Show 6' high, solid fence along north and west boundaries, and a minimum 4' open
12 style fence along the creek to the south.
- 13 4. Walkways in front of parking stalls need to be 6' wide to allow for 2' vehicle overhand.
- 14 5. Show the location and type of any proposed pole or monument signs.
- 15 6. Pay any required water connection and/or impact fee to upgrade from existing 3/4"
16 line to 1½" or 2" water line, as necessary.
- 17 7. Pay any required sewer connection and/or impact fee to South Davis Sewer.
- 18 8. Obtain written approval from Davis County Flood Control to build within 50' of a
19 flood channel.

20
21 Councilwoman Holt requested that an additional condition be imposed, (9) that the
22 building be constructed as drawn and shown on the plans reviewed by the Planning Commission
23 and Council. Councilman Higginson noted that the plans do not include a sign and discussion
24 followed regarding the optimal sign for this location/business. Mr. Jensen indicated that the
25 developer plans to use a monument sign. Councilwoman Holt made a motion that the Council
26 grant preliminary and final site plan approval for the proposed El Matador restaurant at 612 South
27 Main Street, subject to the nine conditions listed above. Councilman Higginson seconded the
28 motion and voting was unanimous. Councilpersons Higginson, Holt, Moss and Tolman voted
29 "aye".
30

31 **PUBLIC HEARING TO CONSIDER ZONE MAP AMENDMENT -**
32 **CG TO MXD-R AT MAIN STREET AND PAGES LANE, PEG DEVELOPMENT**

33 At 7:42 p.m. Mayor Johnson opened the public hearing to consider amending the zone map
34 to allow a mixed use project (MXD-R) on property presently zoned general commercial (CG). Mr.
35 Jensen reviewed that he has been working with the Planning Commission to create a plan so that
36 the property presently occupied by the J.C. Penney building can be utilized. He reported that PEG
37 Development is proposing a mixed use project for this property (southwest corner of Main Street
38 and Pages Lane) which does not require assistance from the Redevelopment Agency. He said that
39 meetings have been held with the residents and the Planning Commission and stated that he feels
40 the proposed project would be a very positive contribution to the City.
41

42 Cameron Gunther, representing PEG Development, displayed drawings of the proposed
43 development and explained that it would be one level of retail/office space and three levels of
44 residential housing with one wing being age-restricted to residents 55 years of age and older. The
45 wing to the north (containing one and two-bedroom units) would be restricted to two persons per
46 bedroom. He described the amenities included with the project, noting that it would NOT be a low
47 income project. All units will be leased; however, the plat will be recorded as a condo plat,

1 meeting all conditions necessary for condos.

2 At 8:00 p.m. the Mayor called for input from citizens in attendance. Dell Cook, Pages
3 Lane and Main Street, expressed concern that he had not been notified of the proposed zone
4 change (and attributed that lack of notice to the fact that his address is Centerville). He said that
5 he doesn't have any serious objections to the proposed project, but would like to be included with
6 neighboring residents in the "Notice" process. Chad Nielsen of Bountiful Shadows stated that he
7 felt the development was, in general, a good use of the property. However, he wondered if proper
8 impact studies had been conducted as it relates to the impact on traffic, schools, etc. Without
9 adequate studies, he stated that it is difficult to determine the impact on neighboring property
10 owners. Mayor Johnson noted that the concerns raised by Mr. Nielsen will be addressed as the
11 project itself is presented for approval.

12
13 Holly Burningham, 56 West 1350 North, expressed concern about the height of the
14 buildings and the fact that the view of the mountains would be blocked. Lowell Hardy, 1572
15 North 100 West, raised a concern about traffic on the west side of the project (which would be on
16 his east property line). Mr. Gunther explained that the driveway which services the project will
17 have a locking arm which will need a key or some other device to allow access on both the north
18 and south sides of the project. Traffic calming bumps will also be implemented to control the
19 speed of vehicles. Mr. Hardy also asked about where windows will be located in the residential
20 units and Mr. Gunther indicated that there will not be windows on the western exposure. Bret
21 Romrell, 1556 North 100 West, indicated that he had signed the petition relating to the changed
22 use (from totally age restricted) and he expressed concern about the impact on the schools. Mayor
23 Johnson noted that the Davis School District is aware of projects as they are presented and
24 implement any actions needed to accommodate additional students.

25
26 Mike Ellis, neighbor to the south of the Penney's property, expressed concern about the
27 height of the project. Mr. Rowland explained that the new building should appear to be shorter by
28 about 10 feet than the existing building (viewed from the west). Chad Nielsen suggested that the
29 developer consider a 3-story scheme, as opposed to the 4-story. Paula Huffaker, 153 West 1450
30 North, PTA president at the elementary school, expressed concern about additional transient
31 population and the possibility of lower-income residents. The public hearing concluded at 8:28
32 p.m.

33
34 Mayor Johnson reviewed that the issue before the Council is whether or not to amend the
35 zone, changing it from CG to M.D.-R. Councilwoman Holt expressed excitement about the
36 proposed project, noting that it meets the goals of "Envision Utah" which have been studied by the
37 Council. She noted that the Planning Commission and staff have worked arduously with the
38 developer and that this working relationship would continue through development of the project.
39 She made a motion that the Council adopt Ordinance No. 2005-06 entitled AN ORDINANCE
40 AMENDING THE BOUNTIFUL CITY ZONING MAP TO RE-ZONE PROPERTY ON THE SOUTHWEST CORNER
41 OF PAGES LANE AND MAIN STREET FROM GENERAL COMMERCIAL (C-G) TO MIXED USE -
42 RESIDENTIAL (M.D.-R) and that the findings listed by the City Attorney be included in the motion.
43 Councilman Tolman seconded the motion which carried unanimously. Councilpersons Higginson,
44 Holt, Moss and Tolman voted "aye". Councilman Higginson requested that citizens who had
45 concerns submit any concerns, in writing and with a signature, to the Council, via Mayor
46 Johnson's office.

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COMMITTEE REPORTS

Mayor Johnson expressed appreciation to the City staff (Mr. Rowland, Neal Jenkins and Ellen Call, specifically), for the support with the groundbreaking for the new recreation complex.

Councilman Tolman reported that the pad has been poured for re-location of the old pioneer cabin.

The meeting adjourned at 8:45 p.m. on a motion made by Councilman Higginson and seconded by Councilwoman Holt. Voting was unanimous with Councilpersons Higginson, Holt, Moss, and Tolman voting “aye”.

_____ JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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