

**MINUTES OF THE
CITY COUNCIL/PLANNING COMMISSION MEETING
Planning Conference Room
April 17, 2007 - 7:00 P.M.**

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3 **Present:** Chairman Clark Jenkins, Vice-Chairman Tom Smith, Ray Keller, Mark Green, City
4 Council Representative Barbara Holt, Planning Director Aric Jensen, and Recording Secretary
5 Connie Feil.

6
7 **Special Invitees:** City Manger Tom Hardy, City Council Members: Barbara Holt, Fred Moss,
8 Scott Meyers, Richard Higginson, Thomas Tolman, City Attorney Russell Mahan.

9
10 **Absent:** City Mayor Joe Johnson, City Engineer Paul Rowland, Michael Allen, and Kirt
11 Peterson.

12
13 Clark Jenkins welcomed all those present and had all Commission Members introduce
14 themselves. Mr. Jenkins acknowledged the presence of the City Council, and stated that they
15 had been invited specifically to hear Item #3, Brian Knowlton rezone petition.

16
17 Tom Smith made a motion to approve the Planning Commission meeting minutes for
18 April 3, 2007 as written. Barbara Holt seconded the motion and voting was unanimous.

19
20 **1. CONSIDER FINAL COMMERCIAL SITE PLAN APPROVAL FOR TIMBER**
21 **MILL CABINETS LOCATED AT 466 W. 1000 N., BRAD HUTCHINGS,**
22 **APPLICANT.**

23
24 Brad Hutchings, applicant, was present. Aric Jensen explained that Mr. Hutchings is
25 requesting final site plan approval for modifications to an existing commercial development
26 located in the Heavy Commercial (C-H) zone. The site is approximately 1.1 acres in size and is
27 wedged between 1000 North and the on-ramp to 1-15 Northbound. The third side backs onto a
28 single family neighborhood. There are two existing buildings on the site: a 5400 square foot
29 block of storage units, and a 6400 square foot furniture/upholstery repair building. The Planning
30 Commission recommended preliminary site plan approval on January 2nd, and the Council
31 granted preliminary site plan approval on January 9th.

32
33 Mr. Jensen explained that part of the proposed site plan includes a property line
34 adjustment with Lot 2 of the Bay View Park Plat B subdivision, which will need to be approved
35 by the Administrative Committee. Currently, the boundary between the two properties is
36 extremely irregular and deviates substantially from the original subdivision boundary. This is a
37 result of a compromise between the owner of Lot 2 and the City. Mr. Hutchings would like to
38 remove the existing structure, rebuild a new structure in approximately the same location, and
39 square-off the property lines.

40
41 As mentioned in a previous meeting, the applicant is requesting that the stub end of 1000
42 North be deeded to him so that he will have proper frontage and enough places for parking. This
43 portion of the road has only been used for access to this property and the 5th Amendment since
44 the I-15 improvements were installed in the early '60's. Because of the need to maintain utility

1 right of way across the property, a public utility easement will need to be granted across the
2 entire parcel. Also, this parcel provides the only access to the very limited parking at the 5th
3 Amendment. Mr. Hutchings has reached an agreement with the owner of the 5th Amendment to
4 share this access. The actual vacation/abandonment process will take place as a separate action
5 at City Council meeting.

6
7 The site is in a low area and will drain to a new detention basin at the north end of
8 property. From there it flows into the existing drainage ditch on the east side of I-15. No storm
9 water impact fee will be required because of the detention basin. The plan currently shows the
10 proposed detention basin to be lined with mulch, however staff recommends that it be finished
11 with grass or large "river rock" (6" or larger) to prevent the storm drain from plugging. The City
12 Engineer has reviewed the drainage plans and calculations and made only minor corrections. A
13 new sewer lateral and clean-out has been run to the future building. Electricity, gas and phone
14 are already available to site. Additional building details are needed before a final review of
15 those utilities.

16
17 The location of the fire hydrant and required water lines have been moved to the entrance
18 of the development as requested by the Fire Marshall, and a 6" water line has been extended to
19 the future building for sprinklers and/or an additional future hydrant. An easement description
20 for the water lines was provided and needs to be recorded.

21
22 The final site plan as proposed shows 18% landscaping, which is more than the minimum
23 required in this zone. The landscaping plan shows trees in the front yard area, but doesn't show
24 the required screening trees along the northeast area adjacent to the residential backyards. The
25 redlined landscaping plan shows the placement of the screening trees. The utility plan shows the
26 location of the extended irrigation line. A 2" sleeve/conduit will need to be provided where the
27 irrigation line runs through the public utility easement so that the line can be fixed without
28 disturbing the adjacent property. Otherwise, the applicant will have to run the irrigation line
29 under the building or parking lot.

30
31 The showroom area, which is 1,550 sq. ft, requires 1 stall per 500 sq. ft, for a total of 3
32 spaces. The manufacturing and storage areas, which are 16,112 sq. ft, require 1 stall per 1000
33 sq. ft, for a total of 16 spaces. The total parking requirement is 19 spaces, and 19 spaces are
34 shown on the proposed plan. Only 13 spaces are needed until the construction of future Building
35 #3. Seven of the proposed spaces are located within the unused R.O.W. These spaces cannot be
36 included in the onsite parking count until the City officially abandons the R.O.W., however, they
37 can be used unofficially for parking since on-street parking is permitted and this ground is
38 technically still a street. There was discussion amongst the Commission members regarding the
39 future use of the storage buildings and the impact on parking. If the applicant ever chooses to
40 finish all or some of the storage units and convert them to an office or retail use, he will have to
41 apply for amended site plan approval and provide additional parking at that time.

42
43 Water fees will depend on the size and number of culinary hook-ups and the location of
44 the fire hydrant. The storm water impact fee will be waived when detention is provided.
45 Building fees will be assessed with the building permits.

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2 Staff recommends final site plan approval for the Brad Hutchings/Timbermill Cabinets
3 site with the following conditions:
4

- 5 1. Lot line adjustment approved by Administrative Committee
- 6 2. Applicant submit a revised site plan per the redlines
- 7 3. The new public utility easements are recorded
- 8 4. The Council abandons and deeds over the unused portion of the 1000 North right-
9 of-way
- 10 5. All required fees are paid

11
12
13 Brad Hutchings explained that he has acquired a utility right-of-way agreement from the
14 adjoining property owner for access for water and electricity. Mr. Hutchings has been working
15 with the Fire Department for the location of a fire hydrant.
16

17 There was a brief discussion with regards to adequate parking and truck access for this
18 project following which Mark Green made a motion to recommend to the City Council final
19 commercial site plan approval for 466 W. 1000 N. subject to the conditions outlined by Staff.
20 Tom Smith seconded the motion and voting was unanimous in favor.
21

22 **2. PUBLIC HEARING-Consider a zone amendment from C-G to MXD-R located at**
23 **2084 S. Orchard Dr., Matt Carter, applicant.**
24

25 Randy Lewis, representing Matt Carter, was present. Aric Jensen explained that Mr.
26 Carter is requesting a zone map amendment from C-G (General Commercial) to MXD-R
27 (Mixed-Use Residential) at 2084 South Orchard Drive. This site is located on two parcels which
28 total approximately 2 acres in size. The front parcel contains an old service station building
29 which was decommissioned in the 1990's. Records show that the fuel tanks were removed in
30 accordance with the EPA underground tank removal program in effect at the time. The rear of
31 the property slopes significantly downhill to the west and is currently vacant.
32

33 The applicant's proposal is to construct an office building along the Orchard Drive
34 frontage, and to put townhouses in the rear of the property between the single family homes and
35 the office use, similar to adjoining properties in the area. Since there is an existing right-of-way
36 to the rear property, this objective could be accomplished in two ways: 1. The applicant could
37 keep the front parcel zoned C-G, and petition for the rear parcel to be zoned multi-family, or 2.
38 Just apply for the MXD-R zone. Even though this isn't truly a mixed-use project such as Village
39 on Main, the Clipper Building site, and others, the MXD-R zone will give the developer more
40 flexibility and will give the City better control over the project design than simply rezoning the
41 rear parcel to multi-family. For these reasons staff recommended that the applicant apply for the
42 mixed-use zone for the whole project rather than just request a rezone for the rear parcel.

43 One of the requirements of the MXD-R subzone is that the mix of uses be at least 50%
44 and not greater than 75% residential use, and that the other 50% to 25% be commercial, office,
45 or other non-residential use. Another requirement is that the developer include a list of setbacks,
46 height limitations, and other standards that would apply to the project and that would differ from
47 the defaults in the zone. Drawings and printed information were presented. The only item that
48 staff has concerns with was the proposal to reduce the parking requirements in the multi-family

1 area. Since this is not a true mixed-use proposal, staff recommends that the multi-family parking
2 requirements not be reduced below the current ordinance requirements.

3
4 The office building would essentially be 2 stories high with a basement. Each level
5 would be approximately 5,000 sq. ft, with the main and upper levels being improved with
6 finished office space, and the basement finished as storage/conference room space, for a total of
7 15,000 sq. ft. Parking for the office building would be in front, adjacent to Orchard Dr.

8
9 The residential portion of the project as proposed would consist of 21 townhomes. The
10 Bountiful City Ordinance allows a maximum of 20 units on a single access road. Depending on
11 the final configuration of the development, this might be an issue. An illustration showing the
12 front exterior of the proposed units was presented.

13
14 Randy Lewis explained that there would be a 4,800 sq. ft office building fronting on
15 Orchard Drive that would be used for general office use. The 21 townhomes will consist of 700
16 sq. ft. on three levels with a total of 2,100 sq. ft. per unit. These units will be high quality units
17 with granite counter tops, tile flooring, etc. They will be very upscale units and will be sold, not
18 used as rentals.

19
20 Mr. Lewis continued to explain that 28% of the site consists of buildings, 34%
21 landscaping, and 38% parking. There is a large hammerhead turnaround for fire safety. There
22 will also be a vinyl fence around the project and a retaining wall separating the commercial from
23 the residential with a distance of 30 feet between the commercial and residential. The
24 residential drainage will flow to the south end of the property and the commercial will flow into
25 Orchard Drive. This project is being proposed to have two phases, first phase will be to build the
26 townhomes with the second phase being the commercial building.

27
28 Clark Jenkins explained to the public the procedure for conducting a public hearing and
29 the public hearing was opened for comments and concerns. Gary Lindeburg, residing at 2057 S.
30 Penman Lane, had concerns with the rear setbacks. The existing apartments on Orchard Drive
31 have a backyard setback of 30 feet and Mr. Lindeburg requested to change the proposal to have
32 the 30-foot setback rather than a 20-foot setback. Mr. Lindeburg questioned the ordinance
33 regarding the setbacks and the landscaping. He also requested a storm drain plan along the back
34 property line. Jeffery Colbert, residing at 2043 S. Penman Lane, also had concerns with the
35 drainage and losing his view of the mountains.

36
37 Raymond Cope, residing at 2075 S. Penman Lane, requested that the existing power lines
38 on the back property be replaced with underground power lines. Mr. Cope also had concerns
39 with the possibility of cars crashing into his backyard so he requested to have a retaining wall to
40 help prevent this from happening. Joanne Beck, property manager of Hidden Garden
41 Apartments (2110-2122 S. Orchard Drive), had concerns with the southwest corner of the project
42 being too close to the apartments. Ms. Beck also had concerns with the drainage and parking.
43 Karie Troop, residing at 2046 S. Penman Lane, has concerns that the townhomes won't sell and
44 be left for rentals which will decrease the value of the surrounding homes. The fear with rentals
45 comes with the existing apartments having garbage, drugs, and crime. Mrs. Troop does not
46 agree with the proposed density.

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2 Carman Simon, residing at 2003 Penman Lane, wanted a guarantee that the townhomes
3 will be owner occupied residences and not used for apartments. Clark Jenkins explained that
4 there will be written covenants which regulate what the owners can and cannot do with the units.
5 This project will probably clean up the garbage, drugs, crime, and improve the area. Leon
6 Hoffman, residing at 2032 Penman Lane, presented pictures showing the visual impact on his
7 home. This project will take away his view.

8
9 The public hearing was closed without further comments and there was a lengthy
10 discussion between the Commission Members with concerns for proper drainage, too many
11 units, moving the west units forward as far as the Fire Department will allow, the possibility of
12 selling/deeding a small section of property on the southwest corner to the adjoining apartments,
13 and whether there is a need for more office space in Bountiful.

14
15 Russell Mahan explained that the MXD-R zone requires that the site plan be tied to that
16 rezone. Any problems need to be addressed and incorporated into the site plan before approval.
17 Mark Green made a motion to continue this item until the next Planning Commission meeting so
18 that the applicant can revise the site plans with the following concerns:

- 19
20 1. Move the west units forward as far as the Fire Department will allow which will
21 minimize the pavement and increase the landscaping.
22 2. Retaining wall and storm drain containment.
23 3. Landscaping along the south entry if possible.
24

25 Ray Keller seconded the motion and voting was unanimous.

26
27 **3. Consider a zone amendment from C-G to MXD-R located at 2135 S. Orchard**
28 **Drive, Brian Knowlton, applicant.**

29
30 Clark Jenkins explained that there was a public hearing held with the Planning
31 Commission on April 3rd and they voted to continue the discussion in order for the applicant to
32 provide additional information and drawings. At that time it was suggested that the City
33 Council be invited to attend and become familiar with the issue.
34

35 Russell Mahan explained that a motion cannot be made on this item because the required
36 Planning Commission members from the first hearing are not present for this continued hearing.
37 The purpose for continuing this item at the last meeting was for Mr. Knowlton to provide
38 additional information and drawings. Mr. Mahan
39 suggested to hold the discussion and then continue the item to a special meeting on April 24,
40 2007.

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42 Aric Jensen explained that Mr. Knowlton is requesting a zone map amendment from C-G
43 (General Commercial) to MXD-R (Mixed-Use Residential) at 2135 South Orchard Drive. He
44 said that the applicant is required to provide a development plan as part of the approval process,
45 which he had. Mr. Knowlton's most recent proposal, which was reviewed by the Planning
46 Commission on April 3rd, is comprised of two 3-storey retail/office buildings with underground

1 parking fronting onto Orchard Dr. To the east of these structures would be a series of
2 approximately 50 townhomes with individual garage parking located along a winding lane that
3 would connect to 2200 South at two locations. The townhomes would gradually increase in
4 elevation the further east they are located on the site, which is accomplished essentially by
5 undoing the cuts and fills made over the years and returning the property to a more natural grade.
6 This would include covering up the majority of the existing 20 foot retaining wall located on the
7 east side, and bringing the grade on the west even with Orchard Drive.
8

9 Brian Knowlton explained that at the previous meeting it was suggested that the City
10 Council be invited to observe and become familiar with the project. Mr. Knowlton thanked all
11 those present for allowing the discussion. He continued to explain that the main purpose for this
12 project is to create housing in the rear and commercial retail in the front of the property with
13 plenty of open space as a separation between the two uses. Mr. Knowlton presented the
14 information requested by the Planning Commission which was to refine the site plan, present the
15 floor plans for the condo and townhomes, and to show the roof lines that will impact Arvilla
16 Child's home.
17

18 There was a lengthy discussion between Mr. Knowlton, the Planning Commission, and
19 the City Council. There were some concerns with having more residential use and leaving out
20 the commercial use with this project. All those present expressed their concerns. The general
21 consensus was that this is a good project for this area of Bountiful and would greatly improve
22 the neighborhood.
23

24 The Commission made the decision to continue this item until April 24, 2007 at 6:00 p.m. to
25 allow the required Planning Commission members to be present to make a motion for an
26 approval or disapproval on the re-zone. Russell Mahan explained that State Law requires a
27 public hearing with the Planning Commission for any re-zone. Bountiful requires that the
28 public hearing also be heard by the City Council. Mr. Mahan asked if the Planning Commission
29 and the City Council want to continue having two separate public hearings or if they want to
30 have a joint meeting on re-zones. There was a discussion between Staff, Planning Commission
31 and the City Council. Both Commissions would like to have more time to consider the matter.
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35 **4. Consider proposed text amendments to Title 14, the Bountiful City Land**
36 **Ordinance, Professional Office Zone, (Chapter 8), which has a working title of "500**
37 **South Professional Office subzone".**
38

39 Mark Green made a motion to continue this item until May 1, 2007 and adjourn this
40 meeting. Tom Smith seconded the motion and voting was unanimous.
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42 Meeting adjourned at 9:45 P.M.
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JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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