PLANNING COMMISSION MINUTES
July 18, 2000

Present: Chairman Al Hess, Vice Chairman Paul Summers, Lois Williams, Mark Green, Dick Dresher, Dean Thurgood, City Council Representative Gordon Thomas, City Attorney Rusty Mahan, City Engineer Paul Rowland, Recording Secretary Connie Feil.

Absent: Planning Director Blaine Gehring

Al Hess welcomed all those present and introduced all members. Paul Summers made a motion to approve the minutes for June 6, 2000 with two spelling corrections. Gordon Thomas seconded the motion and voting was unanimous.

Paul Summers made a motion to approve the minutes for June 20, 2000 as written. Gordon Thomas seconded the motion and voting was unanimous.

Subdivisions

1. Consider preliminary and final subdivision approval for Bridlewood South Subdivision Phase 5, a lot split in the existing Bridlewood South Subdivision Phase 4, Lot 407, Steve Randall and Merrill Bunker, developers.

Steve Randall, developer, was present. Paul Rowland explained that the developers of Bridlewood South Estates Phase 4 are requesting a revision to the plat that would result in dividing lot 407 into two smaller building lots. After grading for the roads and doing some of the rough grading of the lots, as allowed by the original subdivision approval, lot 407 was found to be acceptable as two building lots. Lot 407 was originally proposed so large because of a small gully that runs through the property created a road fill, house pad and slope problems. Now that the rough grading has been completed and the road built, the developer has shown that the ground can be used satisfactorily as two lots.

The approval of the subdivision allowed for 12,000 sq. ft. lot minimum. Lot 407 contains 27,127 sq. ft. and is being proposed to be divided into a 14,285 sf. lot and a 12,842 sf. lot.

Because all of the improvements have been completed for the phase 4 development, this lot split will not require any additional surface improvements (walk, curb and gutter, etc.) But it will need a water and sewer lateral stubbed into the lot. This will require cutting and patching the road and stubbing under the walk. The 10% retention on the original bond covering phase 4 has not been released and therefor could have a sufficient amount retained to cover these few construction expenses. Storm drain impact fees have already been covered for this property under Phase 4 approval.

Staff recommends that the Planning Commission grant preliminary and final subdivision

approval for Bridlewood South Subdivision Phase Five with the following conditions:

1. The City Council pass an ordinance disconnecting lot 407 from the original Phase 4 subdivision.

2. Payment of required checking and recording fees.

3. Provide a current and correct title report for the property.

4. Maintain sufficient bonding from the Phase 4 bond to cover the few construction expenses.

5. Compliance with all other applicable requirements in final approval of the subdivision.

There was a brief discussion about the damage caused by the water from the fire hydrant and if it will cause any future problems. The building pad on this lot is on little or no fill. Mark Green made a motion for preliminary and final approval for Bridlewood South Subdivision Phase 5, subject to the conditions by Staff. Dick Dresher seconded the motion and voting was unanimous.

2. Consider preliminary and final condominium approval for a 12-unit office condominium project located at Colonial Square.

Brad Rasmussen, Engineer, was present. Paul Rowland explained that there is a new office building on the southeast corner of Colonial Square. This building was built on a few of the remaining "parcels" in the Colonial Square Commercial Condominium project. It did not need a site plan approval because it was part of an approved development.

The developers of the office building are now desirous of making this an office condominium in itself. This means there will be a condominium project (the office building) on top of a condominium project (Colonial Square). The office part will only apply to the space within the building. The parking and other open amenities will remain as part of Colonial Square.

All pertinent fees, including impact fees, have been met as part of the building permit. Construction is now completed on the building. This approval is only to approve the condominium plat.

There was a brief discussion on if there is enough parking provided for the office spaces and if the office spaces are to be sold or do they have renters? The Board was told that the Staff reviewed the parking when the plans were submitted for the building permit for the building and there is plenty of parking. There are twelve offices spaces which three are occupied as owners and one as a renter.
The Staff recommends that the Planning Commission send a favorable recommendation for preliminary and final approval of Colonial Place Office Condominiums with the following

conditions:

1. Payment of the following fees:

a. Plat checking fee, preliminary and final at $100.00 per unit	$120.00
b. Recording fee at $40.00 per sheet	240.00
	Total =$ 360.00

2. Correction of the few errors on the plat.

3. Provide a current and accurate Title Report on the property.

Gordon Thomas made a motion to send to the City Council preliminary and final condominium approval for a 12-Unit office condominium project located at Colonial Square. Lois Williams seconded the motion and voting was unanimous.

Site Plans

1. Consider preliminary and final site plan approval and final conditional use approval for the Sports Mall (part of Renaissance Town Center) at 1500 South Main Street, Renaissance Town Center LLC, developers.

Bruce Broadhead, developer, and Jack Balling engineer, were present. Paul Rowland explained that this is the first stage of the Renaissance Town Center. The Sports Mall will be the primary feature of the northern section of the town center occupying most of the property north of 1500 South between Highway 106 and Main Street. As per conceptual plan, the Sports Mall will have its main building located within 5 feet of the sidewalk along 1500 South. The existing InstaCare Building will become part of the overall complex and be used as a day spa. There will be a lap pool, a second smaller pool, a hot tub and pool house added just north of this building. A new access off 200 West will be put in as well as a relocated access from 1500 South. The bank access near Highway 106 will remain. The bank will remain as will most of its existing parking and drive-through access. The remainder of the site will be newly developed for parking for the Sports Mall.

We do not have a set standard for parking for this type of facility in our ordinance. In checking the internet for information, there were several different requirements found. Some were for overall square footage, some were for each area calculated differently (i.e., so many for basketball/raquetball courts, etc.), are some were based on the same as other commercial sites. One standard that was found which we felt applied very nicely was one parking stall for each 400 square feet of gross floor area for the sports and exercise facilities. There is one part of the building proposed for lease for commercial sales which we calculated at the normal 1 stall per 200 square feet on net floor area. Our calculations show a need for 207 stalls. There are 214 stalls provided, 6 of which are for the disabled. The ADA standard for stalls for the disables are 7 stalls for sites in excess of 200 stalls. Thus, one additional stall should be provided.

The landscaping for the site shows only 14.69% of the site. But, there are two areas which are actually on government properties and have been landscaped and maintained by existing businesses up to this point. One area is along UDOT's right-of-way along Highway 106 west of the bank. On the site plan most of the landscaping is in the right-of-way not on the actual property. The other area is the curved portion of landscaping bordering 200 West and Main Street. This area belongs to Bountiful City. These areas are to remain in tact and be maintained by the Sports Mall. They should be given some consideration as to contributing to the overall percentage of the site in landscaping.

There is one area of concern with the landscaping plan as submitted. It deals with the curved portion of landscaping bordering 200 West and Main Street. The City owns this small portion of the site. It has been landscaped with turf grass and maintained by InstaCare as part of their site and should continue to be maintained by the Sports Mall. There are some issues with this portion of the landscaping that prohibit street trees in that area. First, this is a major access point between 200 West and Main Street. Adequate site distance at the corner needs to be maintained. Second, the city has major utility lines (water, sewer and a 30" storm drain) running through this section. Large trees with root systems will not work in this area. The three street trees shown on the plan should be eliminated. The city needs access to these utility lines, the proposed fence around the pool area should be moved to coincide with actual property line at that point.

Bruce Broadhead presented the plans and explained the layout of the main facility. There is a 12,000 sq. ft. basement has been designed to accommodate the adolescents and teens. The main floor is the entry, nursery and the locker rooms. The upper floor has been designed for the fitness area center. This has been broken down into different areas, weights, cardio area, selected machines. There are two aerobic rooms and physical training rooms. The outside will have a lap pool, hot tub, smaller pool, pool house and a day spa facility.

There was a lengthy discussion with concerns about having enough parking on site, enough landscaping, drainage, what type of building material will be used for the building, where the fencing will be located and what type of fence.

Paul Rowland explained that all water will be drained into the storm drains and a detention basin will be put in for additional drainage generated by the additional impervious areas. Mr. Gehring and Mr. Rowland have gone over the landscaping together. The calculated amount of landscaping is 14.69%. That is for the property that is inside the property lines. Mr. Gehring feels that the Planning Commission could allow this amount (14.69%) as being substantial compliance with the ordinance. The fence around the swimming pool will be a 6 ft. decorative type fence.

Staff recommends that the Planning Commission send a favorable recommendation for preliminary and final site plan approval and final conditional use permit approval of the Sports Mall with the following conditions:

A. Overall Site Plan

1. No credit for required parking be given for parking on street.
2. No parking to be along north side of 1500 South unless right-of-way is widened to accommodate parallel parking.
3. Additional dumpster accommodations need to be provided for the bank.
4. One additional handicap parking stall needs to be provided to meet ADA requirements.
5. Remove and replace with curb and gutter all eliminated drive approaches.
6. Remove and replace all existing damaged curb and gutter and walk along 1500 S., Main Street and 200 West.

B. Grading and Drainage

1. Completed final spot B.O.C. elevations need to be submitted to the City Engineer.
2. Storm water impact fee not required - on site detention provided.
3. Revise detention basin details as per City Engineer's review.

C. Utilities

1. The 8" sewer line will be considered a lateral, not a main line and will remain the property and responsibility of the property owner.
2. UDOT excavation permit will be required for any work done in U-106.
3. The removal and relocation of all power poles and lines and providing new easements for power be subject to review and recommendation of the Power Department.

D. Easements

1. Provide 5' wide utility easement along 1500 South frontage.
2. Deed corner property under existing sidewalk at 1500 South and Main to the City.
3. Provide 10' wide utility easement along North and East property lines.

E. Landscaping

1. Fence along east side of the day/pool area must be moved from drawn location to property line.

2. Three street trees at the corner of 200 West and Main Street be removed from the landscaping plan.

F. Fees

1. Water Fees:
   a. New 3" water service impact fee ($20,218.00 plus lateral and meter box fee)

b. 8" x 6" tapping valve and sleeve for fire line ($1,500.00)

2. Sewer Impact Fees:
Based on $1556.00/ERU. To be determined with final plan check.

3. Building permit and plan review to be determined at time of plan check per the Uniform Building Code.

4. Curb and Gutter Bond:
Post a letter of credit or cash bond to cover ½ of the Main Street, 1500 South and 200 West frontage walk and curb and gutter. 940 ½ = 470' x $29.00/ft. = $13,640.00.

5. Power Fees:
To be determined by the Bountiful Light and Power.

There are some concerns with granting final site plan approval without having more details on the site plans. There are too many items that the Commission members would like to see more details on.

Lois Williams made a motion for final conditional use permit approval for the Renaissance Town Center which includes the Sports Mall. Dean Thurgood seconded the motion and voting was unanimous.

Mark Green made a motion for preliminary site plan approval of the Sports Mall subject to the conditions recommended by Staff and the following changes and additions:

A. Overall Site Plan

4. One additional handicap parking stall that is van accessible needs to be provided to meet ADA requirements.
6. Remove and replace all existing damaged curb and gutter and walk which is owned by the City along the triangle piece of property, Main Street and 200 West.
7. Plans be corrected to show details of the solid wall on the north side of property and be submitted to the Planning Commission for final approval.

E. Landscaping

3. Require trees to be added to parkstrip on 1500 South per ordinance -except on frontage of glass areas in front of building and not to interfere with site distance at intersections and driveways.
4. Pool fencing needs to be a decorative type fence and details shall be subject to final approval.
5. Property owner needs to enter into and acceptable maintenance agreement on the adjacent right-of-way landscaped properties.

Paul Summers seconded the motion. Lois Williams and Dick Dresher asked to have two more items added to the motion. Mark Green added the following to his motion:

A. Overall Site Plan

8. Staff to find additional information regarding parking at similar facilities.

9. More specific details on what type of building materials are being used.

Paul Summers seconded the motion as amended and voting was unanimous.

Zoning Ordinance Amendments

1. Consider amendments to the Planned Unit Development Chapter of the Zoning Ordinance

Rusty Mahan explained that the City has had a request to have the name "Planned Unit Development" placed on a condominium plat before it is recorded. This was a little confusing because the City has a specific concept and definition of planned unit development in the ordinance. We have since found out that the federal government (HUD) and some financial institutions offer financing programs that are more favorable if a development is denoted as a "planned unit development" even though under Utah and Bountiful law it is actually a condominium project. There is also a technical difference between the two as defined by these programs. A condominium is the space within the four walls of a unit with all ground, including the ground under the unit, held in common. Under the "planned unit development" definition, fee title ownership is also given for the land under the unit.

Staff feels that we need to make some kind of accommodation in our ordinance to allow for the placing of the name "planned unit development" on a plat to help meet these special financing requirements. It is, therefore, proposed that a new Section 14-7-109 be added to Chapter 7 of the Zoning Ordinance to read:

14-7-109 EXCEPTION

For purposes of name only, condominium development that grant fee title ownership of the ground may use the name of "planned unit development" even if it does not meet the requirements of this chapter. However, the use of the name does not make such a project a planned unit development as defined by this chapter or under State Law.

Another problem the City seems to face from time to time is a developer who wants to create a PUD simply to get more density in units per acre. The proposal is usually one of individual lots on privately owned streets which we feel is nothing more than a substandard subdivision and not a PUD. Several of these kinds of proposals have come to the City with regards to the large parcel owned by Ralph Keller near 400 North and 1300 East. The City has also seen a similar proposal on part of the land above Highland Oaks Subdivision east of Bountiful Boulevard on the south side of North Canyon. Again, Staff would like to add the following wording to the section 14-7-101 of Chapter 7 of the Zoning Ordinance to better clarify what a PUD should be:

14-7-101 PURPOSE

The purpose of planned unit development is to allow diversification in the relationship of commercial, office and/or residential uses and structures to their sites and to permit a more flexible development if such sites through large-scale site planning. The application of planned unit development concepts is intended to encourage good architectural and site design, to use public facilities efficiently, to avoid development of environmentally sensitive areas, and to insure substantial compliance with the intent of zoning regulations and other provisions of this Ordinance related to public health, safety and general welfare.

A planned unit development shall mean an integrated design for commercial, office and/or residential development or combination thereof in which one or more of the regulations, other than use regulations of the zoning district in which the development is to be situated, is waived or varied to allow flexibility and initiative in site and building design and location in accordance with an approved plan in compliance with the provisions and requirements of this chapter.

Planned unit developments are not to be used solely for the purpose of increasing the residential density of a development or avoiding compliance with the requirements of the Subdivision Ordinance. Any planned unit development proposed and approved under this chapter must show an overall benefit to the environment and the community through the consolidation of open spaces and preservation of environmentally sensitive lands by clustering dwelling units, using public facilities more efficiently, upgrading the development through additional landscaping and higher quality building materials, and any other measures which make the most efficient use of the site and enhance the quality of the development.

Planned unit developments shall be allowed for new projects on undeveloped land, redevelopment of previously built sites, or conversions of existing buildings and land.

Staff recommends the Planning Commission send a favorable recommendation to the City Council for these amendments to Chapter 7 of the Zoning Ordinance.

Mark Green made a motion to approve the amendments to the Planned Unit Development Chapter of the Zoning Ordinance. Paul Summers seconded the motion and voting was unanimous.

Meeting adjourned at 9:25 p.m.