

PLANNING COMMISSION MINUTES
April 4, 2000

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

Absent: Mark Green

Al Hess welcomed all those present and introduced all members. Mr. Hess also welcomed the Boy Scouts and explained the function of the Planning Commission. Dean Thurgood made a motion to approve the minutes for March 7, 2000 with one spelling correction. Dick Dresher seconded the motion as amended and voting was unanimous.

Conditional Uses

1. Public hearing to consider granting a conditional use permit to allow the conversion of a single family residence into a duplex at 240 E. 100 S., Brian Urie, applicant.

Brian and Emily Urie, applicants, were present. Blaine Gehring explained that about one year ago this area went through a rezone. The proponents of the rezone left the option open for the creation of duplexes from existing homes by petitioning for the R-1-6.5D zone which included the duplex overlay. Mr. Urie is now petitioning for such a situation.

The ordinance requires a minimum of 10,000 square feet for a duplex. The ordinance also requires two parking spaces per unit, one of them covered. For duplexes, the Planning Commission may allow tandem parking (one car behind another in the driveway). The Uries own a large home at 240 E. 100 S. on a lot in excess of 10,000 square feet. The home has a two car-attached garage and a full double-wide driveway to the street. This would allow adequate parking for the duplex while maintaining the single family character of the home.

Mr. Gehring finds no problems with this proposal. The duplex overlay zone was left in place for this purpose. The proposal meets all requirements of the ordinance and will not create any physical changes to the home for it to lose its single character in the neighborhood.

Mr. Gehring recommends granting a conditional use permit to allow for this duplex conversion with the condition that the duplex renovation be done with the appropriate building permits.

Al Hess opened the floor for a public hearing. Richard Hill, residing at 231 E. 100 S., is in favor of the duplex. Mr. and Mrs. Hill enjoy having the Uries as neighbors and they have contributed to the neighborhood.

Brian Urie mentioned that when he and his wife were looking for a home it was to be in an area where they could share the home with a renter. It has been the intentions of the Uries from the

beginning to convert their home into a duplex. The Uries signed the petition to rezone this area knowing that it would be possible for the conversion. Mr. Urie read a letter from a Mr. & Mrs. Skelton, residing at 45 S. 200 E., in favor of the duplex.

There were no other comments and the public hearing was closed.

There was a brief discussion on adequate parking, using a separate entrance, and how large is the garage .

Mr. Gehring mentioned that someone came into the office with questions about this proposal. After explaining the rezone their concerns seemed to be satisfied.

James Jones, residing at 257 S. 200 E., is also in support of the duplex.

Lois Williams made a motion to grant the conditional use permit to allow the conversion of a single family residence into a duplex at 240 E. 100 S. with the approval of all building permits. Dean Thurgood seconded the motion and voting was unanimous.

Subdivisions

1. Consider final approval of Dunn-Rowe Subdivision at Canyon Creek Drive and Indian Springs Road.

Richard Dunn, applicant, was present. Paul Rowland explained that a few months ago this item was presented to the Planning Commission for preliminary approval. At that time several issues were raised and now have been resolved.

This subdivision is located at the intersection of Canyon Creek Drive and Indian Springs Road, just east of Bountiful Blvd. The property has been excluded from three subdivisions that surround it because the ground has been occupied by a horse barn and stable ground. North Canyon Creek flows through the south side of the property adjacent to Indian Springs Road.

The conditions listed on the preliminary approval included five items which have now been completed and the plat has been checked for final approval. Since the three lots are surrounded by existing streets, no construction drawings are required except for the bridge to access lot 2 and lot 3. These drawings are now completed and ready for construction.

One of the concerns was with the creek and the potential for flooding. Mr. Dunn has had a hydrologic study of the creek under a 100-year flow condition to see if there is buildable space on these three lots. Mr. Dunn has gone through more actual site planning on this subdivision than the norm for the building pads. The county is over flood control and has given verbal approval for this.

Staff recommends final approval be granted to the Dunn-Rowe Subdivision and a favorable recommendation passed on to the City Council subject to the following conditions:

1. Obtain a permit from Davis County Flood Control for all stream alteration work and the bridge.
2. Posting the site improvement bond and payment of subdivision fees as required in City Ordinance.
3. Signing a development agreement with the City.
4. Provide an access easement for lots 2 and 3 for the common driveway and bridge access.
5. Payment of underground power fees as determined by Power Department.
6. Submit a final title report for the entire property.
7. Complete all corrections on the plat and submit a final recordable Myler plat map.

There was a discussion about the bridge, run off, garbage and debris flowing down the creek. The bridge will be a precast/concrete type bridge and will have a 20-foot span and will be 20-foot wide. It is a nice looking type bridge and will not take away from its surroundings. Calculating on a 100-year flood, the bridge and creek will be more than adequate.

There were some concerns about a Parcel B on the plat. Rusty Mahan mentioned that this is a landlocked piece of property and should be excluded from the subdivision. Mr. Dunn can purchase this property as a metes and bounds lot and add it to his property. Mr. Rowland suggested excluding Parcel B from the plat and have Mr. Dunn buy the property and Quit-Claim Deed it to the Dunn property.

Paul Summers made a motion for final approval of the Dunn-Rowe Subdivision and to send a recommendation to the City Council with the conditions outlined by Staff and the addition of the following:

8. Amend the Dunn-Rowe Subdivision to exclude Parcel B and have Mr. Dunn be required to obtain Parcel B as a metes and bounds lot and have this property Quit-Claim Deeded to his property.

Dean Thurgood seconded the motion and voting was unanimous.

Site Plans

1. Consider preliminary and final site plan approval for a chiropractor's office building at 100 S. and 200 W., Brad Deveraux, owner.

Brad Deveraux and Sterling Bentley, owners, were present. Blaine Gehring explained that Brad

Devereaux is a local chiropractor who has been seeking a site to build a new office. He has purchased the property on the northeast corner of 100 South and 200 West where an old home, recently used for commercial uses, has been demolished and the site is cleared. The proposed office would be located on the northern end of the property facing south onto 100 South. Access and parking would come off of 100 South. Mr. Devereaux plans on using the office on the main floor and an additional rental office used in the basement.

Parking and landscaping are within the requirements of the ordinance except for the north and east corner area where the building will sit within 5 feet of the property line and in the lowest area on the property. Screen trees are not provided in that area. The area instead will be planted in a low maintenance groundcover.

Paul Rowland explained that this house and two others north and east of it have walkout basements. In the back area of these homes there is a large hole with no explanation for it which has created some site plan problems. There is about a 6-foot drop from the back of the curb to the bottom of the hole. All of the homes have been draining back into the hole. There is no positive drainage out of this area. There are no sumps nor a collection system for the water.

Mr. Devereaux is requesting a two-story building with an outside access to the basement. The requested building entrance is off of the side on 200 West which will create the need for a down hill sump. A large graveled sump will be installed. With the planned reconstruction of 200 West during the summer of 2001, a new storm drain line will be installed in 200 West to serve the area. The developer will install a temporary storm drain sump to handle the parking, with piping that will be connected to the new 200 West drain when it is constructed. On site retention will not be required and a storm drain impact fee will be charged.

With 200 West being State Highway 106, any work in that right of way will require a permit from the UDOT. Since the existing building has been removed from the property, a new sewer impact fee will not be required and the water impact fee will be the difference between the existing 3/4" service and the new 1" service.

Staff recommends the Planning Commission send a favorable recommendation to the City Council for preliminary and final site plan approval with the following conditions:

1. Meet requirements of City and Uniform Building Codes for all construction of the building with the payment of building permit fees.
2. Payment of water connection and impact fee of $\$1,838.00 - 1,102.80 = \735.20 plus the meter charge of $\$775.00 = \$1,510.20$
3. Payment of Storm drain impact fee of $0.211 \text{ ac} * \$2,100.00 = \443.53
4. Provide 7' wide utility easements along the 100 South and 200 West frontages.

There was a discussion about fencing and a dumpster. It was suggested to require a 6-foot solid fence on the east and north sides of the property. Mr. Devereaux explained that he plans on using a commercial dumpster from the City.

Gordon Thomas made a motion for preliminary and final site plan approval for a new chiropractor's office at 100 South 200 West subject to the conditions from Staff and the addition of the following:

5. Add a fence along the north and east property lines as required by ordinance.
6. Add a concrete pad for the garbage can on the east side of the building.

Lois Williams seconded the motion and voting was unanimous.

Meeting adjourned at 8:05 p.m.