

PLANNING COMMISSION MINUTES
October 16, 2001

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

Absent: Al Hess and Mark Green.

Paul Summers welcomed all those present and introduced the Planning Commission Members. Lois Williams made a motion to approve the minutes for October 2, 2001 as written. Rod Nordfors seconded the motion and voting was unanimous.

Conditional Uses

1. Public hearing to consider granting a conditional use permit to allow an in-home day-care for more than 8 children at 95 W. 900 N., Vicki Dial, applicant.

Vicki Dial, applicant, was present. Blaine Gehring explained that in-home day-care and preschool activities are allowed in all residential zones in Bountiful. Such activities which have more than 8 children per day-care or preschool session must receive a conditional use permit from the Planning Commission. The reason for the 8 children limit is based on the number of children allowed by the State Licensing in a day-care under one person's supervision. By going to more than 8 children, the state allows up to a maximum of 16 children, a second provider must be present.

Vicki Dial would like to increase the day-care in her home and have up to the maximum of 16 children with a second provider. She also notes in her application that there is a lack of current care facilities in the Bountiful area with many parents looking for available day-care. By providing room for more children, Mrs. Dial feels she is filling a need in the area.

Staff's major concern with the in-home day-care is the potential traffic that it might bring. This neighborhood is directly adjacent to Viewmont High School. The City has had parking problems in the neighborhood for several years. However, Mrs. Dial's property is off of Chapel Drive and not on a major through street. Mr. Gehring feels that due to the traffic in the area, ride sharing by the parents would be advisable.

In-home day cares are licensed by the State and anything related to the home, its condition, provision of indoor and outdoor facilities, etc., are all controlled by them. Bountiful City only provides a fire inspection by our Fire Marshall and notice of zoning compliance.

Staff recommends granting the conditional use permit to allow the existing in-home day-care to increase to more than 8 children with the following conditions:

1. Parents be encouraged to ride share when bringing and picking up their children

to reduce potential traffic problems.

2. The day-care receive all necessary state license approvals and provide the City Business License Department copies of those licensed.

Vicki Dial explained that she has a large circular driveway across the front yard which will prevent traffic problems. She also mentioned that she lives one block away from the high school and the students are not allowed to park on this block. Traffic will not create any problems. Mrs. Dial submitted two letters of support for her increase in children.

Clifton Oppenheim, residing at 92 W. 800 N., was present and expressed some concerns with having more children. Mr. Oppenheim mentioned that Mrs. Dial's and his back yard abut each other and that there is only a 4-foot fence around the back yard. He has concerns about the children climbing on the fence and he would be liable for the injuries.

Rusty Mahan explained to Mr. Oppenheim that he would not be at fault and that Mrs. Dial would likely be responsible for damages or injuries.

Gordon Thomas made a motion to grant a conditional use permit to allow an in-home day-care/preschool for more than 8 children at 95 W. 900 N., subject to the conditions outlined by Staff. Dick Drescher seconded the motion and voting was unanimous.

2. Public hearing to consider granting a conditional use permit to allow an in-home day-care for more than 8 children per session at 903 N. Chapel Dr., Janice Greenwood, applicant.

Janice Greenwood, applicant, was present. Blaine Gehring explained that in-home day-care and preschool activities are allowed in all residential zones in Bountiful. Such activities which have more than 8 children per day-care or preschool session must receive a conditional use permit from the Planning Commission. The reason for the 8 children limit is based on the number of children allowed by the State Licensing in a day-care under one person's supervision. By going to more than 8 children, the state allows up to a maximum of 16 children, a second provider must be present.

Janice Greenwood would like to increase the day-care in her home and have up to the maximum of 16 children with a second provider. She also notes in her application that there is a lack of current care facilities in the Bountiful area with many parents looking for available day-care. By providing room for more children, Mrs. Greenwood feels she also is filling a need in the area.

Staff's major concern with the in-home day-care is the potential traffic that it might bring. Chapel Drive is directly adjacent to Viewmont High School. The City has had parking problems in the neighborhood for several years. However, Mrs. Greenwood notes that her parents drop off their children in her driveway and do not add to the parking problem. Mr. Gehring is not sure of the times these parents come, but with school starting at 7:30 in the morning a lot of the parents would be arriving to drop their children either before or after that time. Only a few

would add to any traffic. If there are several coming during that time, one suggestion would be for parents to ride share whenever possible.

In-home day cares are licensed by the State and anything related to the home, its condition, provision of indoor and outdoor facilities, etc., are all controlled by them. Bountiful City only provides a fire inspection by our Fire Marshall and notice of zoning compliance.

Staff recommends granting the conditional use permit to allow the existing in-home day-care to increase to more than 8 children with the following conditions:

1. Parents be encouraged to ride share when bringing and picking up their children to reduce potential traffic problems.
2. The day-care receive all necessary state license approvals and provide the City Business License Department copies of those licensed.

Janice Greenwood, applicant, was present. Janice Greenwood submitted one letter of support for her increase in children. Mrs. Greenwood mentioned that her yard is enclosed with a 6-foot fence with no neighbors in the back, also no complaints.

Joyce Coxson, residing at 915 N. Chapel Dr., mentioned that there have not been any traffic or parking problems with this facility and does not anticipate there will be any. Ms. Coxson is in favor of the increase of children.

Rod Nordfors made a motion to grant a conditional use permit to allow an in-home day-care for more than eight children per session at 903 N. Chapel Dr. subject to the conditions outlined by Staff. Gordon Thomas seconded the motion and voting was unanimous.

Site Plans

1. Consider preliminary and final site plan approvals for specific stages of the Renaissance Towne Center

Bruce Broadhead, developer, Fred Babcock, architect, and Jack Balling, engineer were present. Blaine Gehring explained that this item is a request for preliminary site plan approval for the north 2/3 of the parking structure, the northern portion of the medical office, pads A through D and the north portion of Market Street and the main driveway entrance from U-106. It is also a request for final site plan approval for the 2/3 portion of the parking structure and the office building portion and the portion of Market Street and the entrance driveway from U-106. An overall site plan was given conceptual approval recently.

Demolition of the Kings store and the Family Fabric will be done first. The construction of the parking terrace and medical office will then begin. Drawings and final site plans will then be submitted within the next few months for pads A through D. Pads A through C will commence construction with another partial demolition of the northern end of the mall. As the completion

of the medical office draws closer (about 12 to 14 months construction time), pad D will be developed with the mall demolished to about the midpoint to allow for the entry driveway from U-106 to be developed. Further development plans for the south end will be underway and will be up for review and approval.

The medical office portion of the building will be developed as follows:

- The first floor will be retail.
- The second floor will be the surgical center.
- The third floor will be a mix of medical offices and an 8-bed nursing unit.
- Floors four through six will be medical offices.
- A final floor will be a mechanical penthouse.

Paul Rowland presented and explained the site plan of the developing process that Bruce Broadhead is proposing. Mr. Rowland pointed out from the plans what Mr. Gehring had already explained. Mr. Rowland added that when the medical office is ready to be occupied 2/3rds of the parking terrace will be completed and the entire road (Market Street) will be completed from 1500 S. to the driveway entering from U-106.

There was a discussion with Mr. Broadhead and Mr. Balling going into more detail about the process of the demolition of the building and parking lot, the time frame for completion of the medical office and relocation of the current tenants.

Paul Rowland explained that the utilities associated with the medical office and the parking terrace run through the area where pads A, B, C and D are planned. However, because there are no final plans for those pads there cannot be a final approval. Jack Balling has been working on the site drawings. A plan view and survey of all of the utilities, however, some of the construction drawings have not been finished. Some of the conditions listed will cover the completion of the drawings. Additional detention is not required on this site. There will be an increase in landscaping which will decrease the water drainage. The water will drain across U-106 and into the existing storm drain system.

There was a discussion on the drainage and the utilities for existing and new connections. Mr. Rowland mentioned that there have been some concerns with the traffic at the 5 points intersection and the 1800 S. intersection. This was a major concern with UDOT in allowing the access off of U-106. One of the conditions for allowing the access off of U-106 was that the developer deal with the unforeseen but anticipated traffic problems at these two locations.

One of the local traffic engineers dropped a copy to Mr. Rowland of a "roundabout" to deal with the traffic problems at the 5 points intersection. Mr. Rowland explained that there is Federal money which is set aside for congestion management. This money cannot be used to increase capacity on any road. The money can be used only to reduced congestion and pollution. Five points intersection could qualify for this money. Having a roundabout at this intersection would be better than having a traffic light and will move traffic a lot smoother. Preliminary application or notice of intent letters are due next month for the money available in 2007. Mr. Rowland is

going to apply for this federal money which will provide almost 94% of the cost.

In order for this roundabout to be possible, a small amount of property from the corner of the Maverick Station, the park, and the Valet Cleaners will need to be included. There will be two more conditions added to the recommendation as follows:

8. The developer donates the property needed for the intersection.
9. The developer pay the remaining fees not paid by the federal grant.

After reviewing the plans for pads A through D and the northern 2/3 of Market Street with the driveway from U-106, Staff recommends that the Planning Commission send to the City Council a recommendation for preliminary approval, with the understanding that construction will begin in the area to serve the medical office based on the following conditions:

1. Complete plan and profile for utilities.
2. Provide an overall master utility and site plan for all of the phases.
3. Include a connecting length of pipe between the existing 6' main on the west side of the mall and the new line installed in Market Street.
4. Storm drain main line from Main Street to the west side of U-106 shall be Class III Reinforced Concrete Pipe.
5. Developer responsible for getting approval of UDOT for all work in U-106 including the installation of the new 24" storm drain crossing.
6. Provide Bountiful City with a temporary easement over the entire property, to hold until the condo plat is recorded.
7. Payment of fees and posting of a development bond as determined in the bond letter.

Staff further recommends that the Planning Commission send to the City Council a recommendation for final site plan approval for the medical office and associated parking structure with the following conditions:

1. Completion and recording of the final condo plat and payment if applicable fees.
2. Sign a Development Agreement with the City.

Blaine Gehring mentioned that Staff recognizes that, at this time, there is not any elevation drawing for the pads. It was needed to get some type of approval for the remainder because of the utilities needed for the medical building. If the Planning Commission wishes to condition the preliminary approval for only the utilities and come back for preliminary and final for the pads at another date. Final is being asked for the building and parking.

Dick Drescher wanted to see what the parking terrace and medical building will look like and what materials will be used. Fred Babcock presented photographs and samples of the material

and windows that will be used. The two bottom levels of the medical building will be made from precast concrete. The upper level will be made of material being used for the Gateway project in Salt Lake City. There will be an atrium to connect the two towers and the parking together.

The parking terrace will raise about one foot off of Main Street to get into the terrace then it will slope three feet across the terrace. Entrance will be from Main Street onto the top level of the parking terrace. There is not an exposed parking garage looking in from Main Street. There will be some berming to bring in some ventilation into the second parking level. There will be landscaping along the outside of the terrace but people will be able to look down into the second level.

Dick Drescher would like to see something to screen the bumpers and head lights of the cars on the second level. Before final approval is made, he would also like to see some type of railing on the top level to prevent cars driving off the edge. It was also asked about landscaping with trees on each corner. Are they conflicting with the vision area on these corners? There was a discussion on what could be done with the parking terrace and the landscaping. It was decided to draw up plans and present them at the next meeting for final approval.

Dick Drescher made a motion to recommend to the City Council preliminary site plan approval for pads A, B, C and D, 2/3 of the parking garage and the medical building subject to the recommendations from Staff with the addition of the two conditions. Lois Williams seconded the motion and voting was unanimous.

Miscellaneous

1. Discussion regarding landscaping at the Alleywood Condominiums

Blaine Gehring explained that he recently was to give a final occupancy inspection for the first unit in the new condominiums on the corner of Pages Lane and 200 West. As Mr. Gehring reviewed the development against the approved landscaping plan, he noticed that the landscaping strips between the driveways had been eliminated. After discussing this with the developers they had made some independent decisions about these strips. First, their feeling was that because they would be right between the driveways, most people would not swing wide enough to miss them and before long they would be damaged beyond recognition by the cars tires. Second, there are some grade differences in some instances which required some retaining walls and these were the easiest places to put them. The developers realized that the Planning Commission had expressed concern of the sea of concrete along the street accessing the units. However, logistically and aesthetically, they felt that if they came in with stamped concrete driveways and beefed up the landscaping along the sides of the buildings and also along the 200 West frontage, that the overall project would be just as nice.

A formal letter was sent stating that these strips would need to be put in and they came in and discussed the issues involved. Mr. Gehring said he would ask the Planning Commission how they felt about it and how to proceed. Mr. Gehring does not see a problem with leaving the

concrete as is. The remaining landscaping has been done very well and the overall project looks very nice.

Rod Nordfors feels that putting the landscaping back between the driveways would be more of a hindrance trying to maintain and keep it looking good. He agrees with the developer to fill it in and put landscaping somewhere else.

Dick Dresher mentioned that it looks okay but he prefers to have some landscaping between the garages, but overall it is a good project.

All Planning Commission members agreed to leave the concrete as is.

Meeting adjourned at 8:40 p.m.