

## PLANNING COMMISSION MINUTES

July 16, 2002

7:00 P.M.

Present: Acting Chairman Dick Dresher, Mark Green, Larry Rigby, Newly appointed Michael Allen, Newly appointed Clark Jenkins, City Council Representative Barbara Holt, City Attorney Rusty Mahan, City Engineer Paul Rowland, Planning Director Blaine Gehring Recording Secretary Connie Feil.

Absent: Duane Gardner.

Dick Dresher welcomed all those present and introduced all Planning Commission Members.

Election for Chairman and Vice-Chairman for July 2002 through June 2003.

Larry Rigby made a motion to elect Dick Dresher for Chairman. Voting was unanimous.

Larry Rigby made a motion to elect Mark Green for Vice-Chairman. Voting was unanimous.

Barbara Holt made a motion to approve the minutes for June 18, 2002 as amended. Larry Rigby seconded the motion and voting was unanimous.

### **Subdivisions**

1. Consider preliminary and final subdivision approval for the South Pointe Condominiums (a condominium conversion) at 1825 S. Main Marv Blosch, owner.

Marv Blosch, owner, was present. Marv Blosch explained that these units are like town homes with no one above or below the units. Each unit has a garage and four bedrooms. They are about five years old and the renters will have an option to buy or wait for their leases to expire before moving.

Paul Rowland explained that Mr. Marv Blosch is requesting approval for the conversion of these two apartment buildings into a 10-unit condominium complex. Located on the east side of Main Street at 1875 South, the current apartments have 12 covered parking spaces in garages, and 23 uncovered stalls for a total of 35 parking spaces. The site is 0.839 acres and was constructed in accordance with the requirements which were current in May of 1994 when the original apartment complex was approved. No additional storm water detention or impact fees are required.

The current Zoning Ordinance requires that all multi family units with three or more bedrooms have a minimum of 2.75 spaces per unit with one being covered. This would require a minimum of 28 spaces with at least 10 covered. The site as constructed exceeds this requirement by a significant amount.

Staff recommends the Planning Commission recommend preliminary and final condominium plat approval for South Pointe Condominium with the following conditions:

1. Minor correction to the condo plat and submission of a complete mylar plat.
2. Payment of fees as follows:
  - a. Checking Fee 10 units at \$100/unit = \$1,000.00
  - b. Recording Fee Two sheets @ \$50/sht = 100.00

There was a discussion on the use of the extra garage being used as a storage unit. A garage or storage unit cannot be sold or rented as a separate unit. This would be considered a commercial use which is not allowed in a residential zone. The existing garage has to be used by the owners or used as common area.

Mark Green made a motion for preliminary and final condominium approval for South Pointe Condominium conversion subject to the recommendations from Staff with the addition of the following:

3. All separate garage units are to be used with ownership held either by a unit owner or in common with the homeowners association.

Barbara Holt seconded the motion and voting was unanimous.

2. Consider preliminary and final subdivision approval for the Arvilla Child Subdivision, 209 E, 2200 S., James and Arvilla Child, owners.

James and Arvilla Child were present. Paul Rowland explained that this proposed subdivision is located on the north side of 2200 South Street at 209 East. The development splits the existing 34,400 square ft. parcel into two lots, one with 11,049 s.f. and one with 23,353 s.f. Both lots meet the minimum lot size requirements for the zone (R-1-6.5) and exceed the minimum frontage requirements of 70.00 ft. An existing house will sit on the new Lot One with its detached garage maintaining the minimum required set backs from the new property line. An existing garage will remain on the new Lot Two.

Both lots front on 2200 South Street, which is an improved street. All utilities and improvements are already in place with the exception of the necessary laterals into the previously undeveloped garden plot which will be Lot Two. Because the street improvements are in place, no subdivision bond will be required. Since no detention is provided for the site, the developer will be required to pay the standard storm water impact fee of \$2,100.00 per acre. The deed to the existing property includes a section which goes out to the center of 2200 South Street. This will be dedicated to the city as a public street as part of the subdivision process.

This property is not part of an existing subdivision. It is considered metes and bounds and does not require a separation from an existing subdivision.

Staff recommends that preliminary and final approval be sent to the sent to the City Council for the Arvilla Child Subdivision with the following conditions.

1. Payment of the following fees:

Storm Water Impact fee:	\$1,658.50
Subdivision Checking fee:	200.00
Subdivision Recording fee:	<u>50.00</u>
Total:	\$1,908.50

The water and sewer connection fees will be paid at the time the new building permit is issued.

2. Make minor corrections on final plat and supply the city with a current title report.

Mark Green made a motion for preliminary and final approval for the Arvilla Child Subdivision, 209 E. 2200 S., subject to the recommendations from Staff. Larry Rigby seconded the motion and voting was unanimous.

### **Site Plans**

1. Consider site plan approval and preliminary and final subdivision approval on a condominium plat for Tierra Vista Condominiums Phase 2 at 385 W. 200 N., Grant Horsley, applicant.

Grant Horsley, applicant, was present. Paul Rowland explained that in June 1995, Mr. Grant Horsley was granted preliminary approval for a 18-unit condominium complex at 385 W. 200 N.. Final approval was granted for Phase I at the same time. Phase 1 has now been completed and Mr. Horsely would like to proceed with Phase II starting with the duplex next to Phase I. Phase II will have 6 duplexes for a total of 12 units. Parking will be provided in double garages for each unit with 2 additional spaces in the driveways. In addition, a minimum of a 1/4 space per unit has been provided for visitors and dispersed throughout the phase.

Blaine Gehring explained that the landscaping plan poses some interesting issues. All of phase 2, with the exception of a couple of narrow, deep, single family lots, is bordered by existing multiple family developments. All of the east side is adjacent to older condominiums, the south and west primarily by the Davis County Housing Authority complex and the north by newer developments of four-plexes. Thus, the east side has existing trees along its entire border. The south side has some trees but none along where the housing authority property touches and none along the west property line. There are few if any existing trees along the north side. The new plan shows 26 trees dispersed throughout the project but not necessarily as screening trees along the property lines. There is also a "hedge planting" shown along the west line and the north line extending part way up the driveway entrance. If either a few additional trees were added (or some of the trees moved) along the south side to provide some screening, the plan would probably meet the intent of the ordinance. (Note: The plan shows a typical shrub and flower

planting around each building which was not submitted. Staff has requested that plan as part of the official landscaping plan.)

Staff does not see any other major problems with the plan as now presented other than the provision for not more than 50% of the exteriors in stucco and a dumpster enclosure which matches the exteriors of the buildings. Staff has reviewed several things with Mr. Horsely and his engineer and corrections have already been made as requested.

Mark Green asked about the fencing on the property. Some of the fencing is wood, chain link, chain link with slats and shrubs. It was asked what is required for this project? Mr. Gehring mentioned that as far as fencing between multiple family developments there isn't any requirement. Screening fencing is only between multiple family and any single family. There is a large hedge that will be between this project and the single family homes.

There was a discussion about using a hedge for a screening fence rather than a solid fence. It was suggested to add item 10 that a solid fence be installed at all locations where this property abuts any single family property.

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

1. Change the exterior plans for the units so that not more than 50% of the exteriors are in stucco as required by ordinance.
2. Provide a dumpster enclosure which is of the same material as the main buildings.
3. Provide additional screening trees along the south side of the project between buildings 4 and 5 and submit the typical shrub and flower planting plan to the Planning Director as part of the plan.
4. Payment of all applicable fees.
5. Provide a reconfirmation of the Letter of Credit and Guarantee Posted with the Phase 1 construction.
6. Record the approved Condominium Plat
7. Sign a Development Agreement with the City.
8. Supply the City with a current title report.
9. Provide a Construction Site Storm Water Pollution Prevention Plan

Paul Rowland explained that all sites greater than one acre, after March 3<sup>rd</sup> of 2003, are subject to new Federal requirements. Which will require any construction site to submit a storm water prevention pollution plan and be approved by the City. This plan will show how water will be run off of the site while construction is being done. It will also be required to deal with fugitive dust, mud, wet concrete etc. during construction.

Mark Green made a motion for site plan approval and preliminary and final subdivision approval on a condominium plat for Tierra Vista Condominiums Phase 2 subject to the recommendations from Staff with the addition of the following:

10. Solid fencing be installed at all locations where this property abuts single family property.

Larry Rigby seconded the motion and voting was unanimous.

2. Consider preliminary and final site plan approval for a 4-plex at 285 W. Center Street, Ron Hill, developer.

Dick Drescher excused himself from this item, he is involved with this project. Mark Green preceded with this item.

Ron Hill and Wayne Back were present. Blaine Gehring explained that Ron Hill has purchased a parcel of property containing a small single family house and a block garage. It is surrounded on three sides by existing apartment complexes on west Center Street in an R-3-13 Zone. The older home is in poor condition and needs to be torn down. Mr. Hill would like to do so and build a new 4-plex on the property retaining the garage for storage purposes.

The 4-plex will be located mid-way back on the property and turned slightly to provide both aesthetic variety and better access to the fronts of the units. All parking and vehicle access will be provided up front including the four covered parking stalls required by ordinance and an enclosure for four garbage cans. (Note: the enclosure is shown as meeting the requirements of the ordinance by being constructed out of the brick which will be on the exterior of the building.) The existing garage will be converted to storage space for the tenants and for landscaping maintenance equipment with no direct vehicular access.

The landscaping plan submitted meets the requirements of the zoning ordinance. And, because this is not adjacent to any single family residences, additional screening fencing will not be required. Mr. Hill does, however, plan on working with existing adjacent property owners to provide new fencing where appropriate to provide better privacy and appearance.

Center Street does not have a storm drain system and therefore does not provide a good way to drain a storm detention basin. The site will therefore be allowed to continue to drain to the street and the developer will be required to pay the Storm Water Impact Fee.

Number one of the Staff recommendations has been done and is no longer required. No new fencing is required and the site plan meets all requirements. This project will be a good addition for this neighborhood.

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. ~~Regrade the east half of the parking lot to provide for proper drainage.~~
2. Payment of required fees, including the Storm Drain Impact fee of \$661.13 and site plan review fee of \$100.00.
1. All building construction to meet the requirements of the IBC and other applicable codes and ordinances.
4. Provide a seven foot wide Public Utility Easement along the Center Street Frontage.
5. Use the existing sewer lateral and water lateral if size is adequate to serve new building.

Paul Rowland suspects that the water lateral maybe small, however, many of the service lines were replaced one year ago. There might be a one inch service to the meter. A four inch sewer lateral should work. Hopefully the sewer lateral was marked when the demolition was done.

Larry Rigby made a motion for preliminary and final site plan approval for a 4-plex at 285 Center Street subject to the recommendations from Staff on items #2 through #5 and eliminating #1. Clark Jenkins seconded the motion and voting was unanimous.

3. Consider preliminary and final site plan approval for a new commercial building at 245 W. 500 S., Valley Properties Inc., owner.

Gill Beckstrand, owner, and Moe Myers, architect, were present. Blaine Gehring explained that Valley Properties, Inc., is the owner of the property and Gringo's Restaurant at 285 W. 500 S.. It is also closely tied to 5<sup>th</sup> South Plaza with parking and cross easements. The owners would like to demolish the current Gringo's building and replace it with a new building which will house two new restaurants, Baja Fresh and Panda Express. The building would be located on the west side of the property this time, however, to provide for better access and eliminate some excess curb cuts. The building is set back from 500 South the required 25 feet but it will have an outdoor dining patio in that setback.

Landscaping is being provided as required by ordinance except along the back half of the western property line. When the overall 5<sup>th</sup> South Plaza development was completed, this parcel was part of it. And, the parking and landscaping did not follow a parallel line with what was to be the new property line when this parcel was divided off. Thus, landscaping between this parcel and the Hogi Yogi/Terriyaki Stix site is more than adequate but does not all fall on the subject parcel. To compensate for this, a new landscaping island at the end of the middle parking bay and new landscaping around the dumpster are being provided. Overall landscaping for the site is 11%.

Paul Rowland explained that while several drive entrances are being combined into one new one, UDOT approval of the new curb cut and driveway will be required.

The existing site drains directly into the 500 south curb and gutter without detention and will be

allowed to continue to do so. However, the drainage along the west side of the building is a problem with the current drive approach removed. The building needs to be raised slightly and the west side of the site regraded to provide for drainage around the new structure to the east and out into the street over the new east drive approach.

There was a discussion about entering and exiting the complex. It is very confusing and needs some changes. It was decided to add adequate signage and restripe the parking spaces to discourage, if not prohibit exiting onto 500 South. It was also discussed about moving the handicap parking south to prevent backing out onto the sidewalk was also discussed.

Staff recommends preliminary and final site plan approval with the following conditions:

1. New drive approach must match the width of the corresponding drive and UDOT approval is required for new driveway curb cut.
2. Revise the grades to provide for better drainage around the building.
3. All plans to meet ADA, IBC and other applicable codes and pay appropriate fees.
4. New building to use existing sewer and water connections if possible to avoid digging 500 South Street.
5. Pay \$100 site plan review fee.

Mark Green made a motion for preliminary and final site plan approval for a new commercial building at 245 W. 500 S. subject to the recommendations from Staff on items #2 through 5, changes to #1 and the addition of the following:

1. UDOT approval is required for any new driveway curb cut.
6. Adequate signage and stripping be included to discourage if not prohibit exiting onto 500 South.
7. Eliminate one parking stall and move handicap parking stall south to prevent backing out onto the sidewalk.

Clark Jenkins seconded the motion and voting was unanimous.

Meeting adjourned at 8:27 p.m.

