PLANNING COMMISSION MINUTES
May 20, 2003
7:00 P.M.

Present: Chairman Dick Dresher, Larry Rigby, Clark Jenkins, Duane Gardner, Michael Allen, City Attorney Rusty Mahan, City Engineer Paul Rowland, Recording Secretary Connie Feil.

Absent: Vice Chairman Mark Green, City Council Representative Barbara Holt and Planning Director Blaine Gehring.

Dick Dresher welcomed all those present and introduced the Planning Commission Members. Michael Allen made a motion to approve the minutes for April 15, 2003 as written. Clark Jenkins seconded the motion and voting was unanimous.

Subdivisions

1. Consider final subdivision approval for the Eckman Subdivision, 275 North 700 East, Larry and Randy Eckman, developers.

Randy Eckman, developer, and Jack Balling, engineer, were present. Paul Rowland explained that this five-lot subdivision, located in an R-1-6.5 zone, (6,500 sf. min. lot size, 70 ft. of frontage at the setback) has been created by taking three existing lots with houses and combining them with the vacant ground at the end of 700 East Street. This section of 700 East is a dead end stub road with no cul-de-sac at the end which has created a maintenance problem for years.

The Eckman's engineers, Balling Engineering, have submitted a final plat, along with the necessary construction drawings and analysis of the flood plane through several of the lots, as required by the Planning Commission and City Council at preliminary approval. The flood plane analysis shows that the 100 year flood is contained in the existing stream channel and culvert. The construction drawings have been completed with the requirements of the Planning Commission and City Council implemented, including the slight moving of the cul-de-sac off of the box culverts.

Jack Balling mentioned that the City has title to 700 East and it will need to be vacated from metes and bounds.

Staff recommends approval of the Eckman Subdivision, with the following conditions and exceptions:

Exceptions:

1. No sidewalk be required along 700 East.

2. The cul-de-sac is allowed to have a 70' diameter rather than the standard 84' diameter and

that the property line be right at the back of curb.

Conditions:

1. Posting the site improvement bond and payment of subdivision fees as required in City Ordinance.

2. Signing a Development Agreement with the City.

3. Payment of underground power fees as determined by Power Department.

4. Submit a final title report for the entire property.

Clark Jenkins made a motion to send to the City Council for approval of the Beckman Subdivision subject to the conditions outlined by Staff with the addition of the following:

5. Vacation of the street at lots 2 & 3.

Duane Gardner seconded the motion and voting was unanimous.

2. Consider preliminary approval of Hidden Lake at Summerwood Phase 7 also called Hidden Hollow at Hidden Lakes PUD, Ronn Marshall, developer.

Ron Marshall, developer, and Dave Byrd, engineer, were present. Paul Rowland explained that Mr. Ronn Marshall is requesting preliminary approval of the final sections of property along the upper Summerwood loop road known as Hidden Hollow at Hidden Lakes PUD. This is the now 13 lot planned unit development which was granted conceptual approval by the Planning Commission and City Council earlier this year.

The development contains 13 lots, ranging in size from 18,810 sq.ft. to over 150,000 sq.ft. Since the minimum allowable area of a lot is 20,000 s.f., two of the lots need to be revised to include to proper minimum size.

The location of the road through the development has been through many iterations in order to come to the present alignment. It includes two fairly short sections where the cut or fill from the road exceeds 10 feet for about 100 ft. each, out of a total of 5,800 feet of frontage. Even though only a couple of hundred feet of frontage has a cut or fill that exceeds 10 feet, almost every foot of frontage has some amount of cut or fill. Because of this, access into several of the lots will be difficult without driveways being constructed at the time of development. Lots 703, 704, 709 and 710 show 20' wide driveways constructed into the road cut or fill with rock retained slopes to lessen the cuts and fills. These driveways are planned to be constructed along the road. The drives shown on lots 703, 704 and 709 all exceed 150 feet in length and will need to be reviewed by the fire department to see if individual fire hydrants will be required at the building pads. Even though not shown on this preliminary plat, lots 702 and 711 will probably need retaining walls along their driveways because of the fills across the frontages of those lots. These

driveways will be constructed with the individual houses on the lots.

Another problem created by the steep slope is the drainage from a couple of the lots. Because lot 704 is so far below street grade, a rear lot sewer line is needed to drain the lot. Lot 703 can be drained directly to the street, however, a 20 foot deep section of sewer main is required to provide for the drain water.

There is also about 600 feet of road which crosses ground that has a natural slope of more than 30%, out of 2,100 centerline feet of roadway.

Because this is a Planned Unit Development, the road will be private. As such, sidewalk is not required, however, at the conceptual approval stage, the City Council requested that sidewalk be constucted on at least one side of the road. The actual process of grading for and constructing the road will provide for a strip of land along the proposed roadway on which a walk could be built if required, without further impact on the hillside. The current submitted plan does not include sidewalk.

Ronn Marshall mentioned that if sidewalks are important, he is ok with putting them in. The fuel company will place the gas lines under the sidewalk.

Paul Rowland presented a slide presentation showing cuts and fills, ground over 30%, retaining walls, roads and driveways. Mr. Rowland explained the exceptions and conditions as follows:

Exceptions Requested: The proposed subdivision plan does not meet all requirements of the Zoning Ordinance, and cannot be granted without exceptions. These exceptions have all been reduced in quantity from the original proposal. These exceptions include:

4. As proposed, none of the proposed new roads have a grade exceeding the allowed 12%.

   Exceptions needed: None.

5. Because the natural ground is quite steep, the two areas described above have cuts and fills that exceed the 10 feet allowed by ordinance.

   Exceptions needed: Cuts and fills exceeding 10 feet.

6. Open space has been shown behind lots 708, 709, 710 and 711 to prevent them from becoming double fronting lots. A homeowners association will need to be formed that is charged with maintaining this open space.

   Exceptions needed: None

4. Two portions of the road cross ground which is considerably steeper than 30%. At the north end of the road, near where it connects to Hidden Lakes Drive the road crosses steep ground for about 500 feet. The road would be cut across the hill producing large

cuts and fills which would need to be retained by mechanical stabilization (retaining walls, reinforced earth, etc.). The road fill in lot 704 is almost all on a portion of ground steeper than the allowed.

Exceptions needed: Use of ground exceeding 30% in slope

Staff recommends preliminary approval subject to the following conditions:

1. All areas that are cleared of natural vegetation shall be replanted with an appropriate vegetation to prevent erosion. These plans shall be compatible with the existing vegetation. Plans showing the landscape areas and necessary sprinkling systems must be submitted for review.

2. A complete geotechnical investigation of the road, and in particular the area near Hidden Lake Drive, be conducted to verify stability of the existing ground, the type of mechanical retaining that will be needed and the pavement design to withstand the traffic loads.

3. The Developer construct a sidewalk on at least one side of the road.

4. Payment of all required fees and the posting of bonds.

Larry Rigby made a motion to send to the City Council preliminary approval of Hidden Lake at Summerwood Phase 7 subject to the conditions outlined by Staff. Duane Gardner seconded the motion and voting was unanimous.

3. Consider final subdivision approval of Call Meadows PUD Phase 2, Brian Knowlton, developer.

Brian Knowlton, developer, was present. Paul Rowland explained that Brian Knowlton is now ready to construct the second phase of his Call Meadows project. The site plan for this entire development was approved in October of 2001 and the first phase has been built over the last year and a half. The second phase consists of 18 units, built along the existing Lyman Lane and Pages Place Drive that was constructed to accommodate the construction of the Pages Place Apartments to the north.

Several of the conditions placed on the construction of Phase 1 are related to the continued progress of the Pages Place Condos and the need for a second access for both developments. Conditions 1 and 2 were:

2. No building in any phase besides phase 1 will be allowed until Pages Place Drive is completed to Pages Place PUD providing a second access.

3. Development of any phase beyond phase 1 will require that the culinary water line be

completed through to Pages Place PUD.

These conditions were required because any multifamily development with more than 20 units is required by the Zoning Ordinance to have two accesses. The approval for phase 1 was granted prior to before Pages Place Apartments were considered or constructed. As a result, the conditions were required to provide access and proper utility connections.

With the construction of Pages Place Apts., and the connecting road between them and the condos, the need to finish Pages Place Drive through phase 3 and the remainder of Pages Place Condos has been eliminated. Therefore, these two original conditions can be removed without violating the zoning requirements.

After reviewing the preliminary site and construction drawings for the development, staff recommends that the Planning Commission send a favorable recommendation to the City Council for final plat approval of Call Meadows PUD phase 2 with the following conditions:

2. Provide a current title report.

3. Make minor corrections to the plat.

4. Record the amended Condominium Declaration with the plat.

Duane Gardner made a motion to send to the City Council final subdivision approval for Call Meadows PUD Phase 2 subject to the conditions outlined by Staff. Larry Rigby seconded the motion and voting was unanimous.

Site Plans

1. Consider preliminary and final site plan approval for Lock It Up storage units at 620 S. 200 W., Dan Nixon, owner.

Dan Nixon, owner, and Brett Wallin, engineer, were present. Paul Rowland explained that Dan Nixon received a conditional use permit from the Planning Commission on March 18th. He is now seeking site plan approval so he can proceed with demolition and construction. The only condition placed on the conditional use permit was that the site plan show the development is compatible with the neighborhood and is satisfactory with the Planning Commission.

There was discussion at that time about metal siding being used on the building as they are exposed to the residential units adjacent to the south. Also, the issue of parking was discussed. Parking has been provided along the south side of the existing building to provide for the retail use (facility office, sales of packing materials, etc.) and for the contractor's office which will be in the rear of the building. There are 11 stalls shown which should be adequate for those uses.

As for metal siding, all areas where there are two stories on building “D” and “E”will now be in stucco rather than metal siding to match the main building on 200 West. The remainder of the single story buildings will be painted block. Also, a 6 foot high solid masonry wall is shown along the entire south side of the project to block any visibility of the buildings from the apartments. Inasmuch as the apartments are also about 4 feet lower than the ground level of the project, this should provide an excellent buffer combined with the 10 foot landscaping strip and trees along that same property line. Staff feels that Mr. Nixon has tried very hard to make the development compatible with the neighborhood by addressing the Planning Commission’s initial concerns.

Currently the city has two utility lines across the old Anderson Lumber property, a 15-inch diameter storm drain and an eight-inch sanitary sewer line. The location of two of the proposed buildings sit directly on top of these lines and they will need to be relocated by the developer into his driveways. The storm drain line has been incorporated into the site’s drainage plans. Because Mill Creek runs along the north side of the property, and because the project does not increase the amount of impervious surface on the site, no detention will be required, however the developer will be required to pay the impact fee of $2,100 per acre.

The rear of this property is more than 600 feet from 200 West Street and as a result, a fire line and several hydrants need to be installed. Review with the Fire Marshal shows that the hydrant shown is insufficient and is located in a spot that the Department would not use. The plans need to be changed to reflect the location of three hydrants that meet the needs of the Fire Department. Also, the buildings well exceed the maximum square footage of commercial space that can be constructed without fire sprinklers. The plans do not show any provisions for fire sprinkling, and I don’t really believe that the developer wants fire sprinklers in the buildings. If so, the utility plans need to reflect the fire line locations, if not, the plans need to show how the buildings will be built to avoid the 12,000sqft maximum requirement.

Additionally, the Power Department has had a master plan to reconstruct the overhead transmission lines along the north side of the property. One of their goals is to eliminate the distribution circuits from the line and bury them. With the new building in the same location as the Anderson Lumber lean-to, there is not enough room to bury the distribution lines between the buildings and the creeks. As a result, the Power Department will need some additional easements to accommodate these relocated lines.

Easements will be required along the relocated sewer, storm drain lines as well as the new fire hydrant lines. A 10-foot wide easement is required along the entire south property line.

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

1. All fencing and fencing elements be no taller than 6 feet as per city ordinance.

2. Provide easements over the full width of the north, south, east and west drives, 15' wide easement over the water line from 200 West to the locking gate, 10' wide along the entire south property line and four foot wide along the west property line. All easements must

be recorded prior to the issuance of any permits, including demolition.

3. Revise the plans showing the relocated fire lines, hydrants and redlined changes needed for the storm drain.

4. Prepare a description and submit a request to vacate the easement currently covering the existing sewer and storm drain line.

5. Pay all required fees: culinary water line and storm drain impact fee at $2,100 per acre.
6. UDOT approval required for all work with the drive approaches.

7. All buildings must meet the requirements of the IBC and city ordinances.

There was a lengthy discussion about the use of stucco and colored block walls, colors, landscaping, building separation, fire hydrants and no outside storage.

Mr. Nixon requested that the solid block wall be stopped at the rear of building A, and not be extended any closer to the road, rather be replaced with a heavy landscaping barrier. The Planning Commission agreed that this would be an acceptable change because of the existing elevation difference between the two adjoining properties in that location.

Mr. Nixon and his architect will be working closely with the Fire Marshall and Building Official to see that all buildings meet the separation and exiting requirements of the Fire and Building Codes.

As Mr. Nixon discussed exactly what the buildings will look like, (colors and elevations) he, along with the Planning Commission decided what he had prepared was adequate for Preliminary Approval only. The developer is anticipating slight changes to the building A elevation and will present that with his request for final approval.

Dick Dresher made a motion to send to the City Council preliminary approval for Lock It Up storage units subject to the conditions outline by Staff with the addition of the following:

8. Prepare and present complete color elevations of all buildings submitted for approval at final.

9. Work with the Building Official and Fire Marshall to see that the buildings meet separation and existing requirements.

10. Landscaping plans be revised to remove trees from the area between building B and the creek to provide access to the overhead power lines by the Power Department.

11. No outside storage allowed.

Clark Jenkins seconded the motion and voting was unanimous.

2. Consider preliminary and final site plan approval for a 10-unit apartment development at 200 West and 1000 North, Kevin Broderick, developer.

Kevin Broderick, developer, was present. Paul Rowland explained that Kevin Broderick has purchased the property on the southeast corner of 1000 North and 200 West. His mother-in-law owns the property directly south of this parcel. Mr. Broderick is proposing to take the corner property containing 0.736 acres and an additional 0.1282 acres off the back of his mother-in-law's property and build 10 multiple family units on the site. There would be 3 buildings — one two story 4-plex, one duplex, and one single story 4-plex. The zoning is R-3-13 and would allow up to 11 units total on the property. There is 39.9% landscaping shown on the site plan which substantially meets the 40% landscaping requirement.

Staff has reviewed several preliminary layouts for this proposal and have worked closely with Mr. Broderick's engineer on the best configuration. With substantial traffic on 1000 North from Viewmont High School, we felt it was best to pull all driveways away from the intersection of 200 West and limit the amount of accessing 1000 North. The proposal is for a one-way, circular pattern for ingress and egress with all parking and individual driveways coming off that main driveway. Parking has been provided with a single garage and parking pad for each single story unit and covered carport parking plus one space for each unit in the two story 4-plex. Additional spaces for visitors have been provided as per the ordinance for a total of 27 stalls where 23 would be required.

Each unit has a private patio/deck area as required by ordinance. The elevations show that part of the exterior will be stone or brick with either siding or stucco on the remainder. The ordinance requires that not more than 50% of the exterior be in siding or stucco. Complete exterior elevations with area calculations for the stone/brick versus siding/stucco will need to be provided at the time a building permit is applied for.

With an existing single family home remaining to the south, the entire south lot line will need to be fenced with a 6-foot solid barrier fence approved by the Planning Director. The dumpster pad as shown will need to have an enclosure around it of a material to match the exteriors of the buildings. A landscaping plan meeting the ordinance has been submitted. However, the street trees along 200 West and 1000 North are shown in the parkstrip area. They need to be placed behind the sidewalk on Mr. Broderick's property. Special care needs to be taken in the placement of the street trees near the corner to avoid a sight distance conflict at this intersection that already sponsors its share of accidents.

The entire site drains to the northwest corner where the site plan provides for a detention basin the basin will be able to drain into the city's storm drain system that runs along 200 West Street. Because the south most building is more than 150 feet from the street, a new 6" waterline is required to serve a new fire hydrant on the project. These have been provided for in the site plan. A new 8" sewer main is also anticipated.

To accommodate these new city owned utilities, an easement covering the parking area will be

required as well as a 7-foot wide easement along the east property line.

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

1. Complete exterior elevations with area calculations for the stone/brick versus siding/stucco be provided at the time of application for a building permit.

2. The entire south lot line to be fenced with a 6-foot solid barrier fence approved by the Planning Director.

3. A dumpster enclosure of material matching the exteriors of the buildings to be provided.

4. The street trees to be moved from the parkstrip to behind the sidewalk along both 200 West and 1000 North.

5. Provide one-way directional signs at the driveway entrances and directional arrows painted on the driveway.

6. Payment of the required fees:
   Fire hydrant with main
   Water services with impact fees
   Sewer impact fees
   Power Fee
   Storm Water Impact waived because of detention

7. All building per IBC and city ordinance.

8. Minor corrections to the site plan.

There was a lengthy discussion about not enough parking with unfinished basements. If later in time these units want to be sold as condos, there will not be enough parking to do so. There could also be a problem with the unfinished basements being used for living space. The Planning Commission agreed to table this item until parking issues are solved.

Larry Rigby made a motion to table this item for further engineering to provide more parking. Duane Gardner seconded the motion and voting was unanimous.

Zoning Ordinance Amendments

1. Consider miscellaneous amendments to the Zoning Ordinance.

Rusty Mahan mentioned that the amendments do not have to be decided on tonight. There was a brief discussion. The Planning Commission agreed to table this item until Blaine Gehring could be present for further discussion.

Meeting adjourned at 9:50 P.M.