

PLANNING COMMISSION MINUTES
October 7, 2003
7:00 P.M.

Present: Chairman Mark Green, Vice Chairman Larry Rigby, Tom Smith, Michael Allen, Duane Gardner, City Council Representative Barbara Holt, City Engineer Paul Rowland, Planning Director Blaine Gehring.

Absent: City Attorney Rusty Mahan, Clark Jenkins and Recording Secretary Connie Feil.

Mark Green welcomed all those present and introduced the Planning Commission Members.

Tom Smith made a motion to approve the minutes for September 16, 2003 as written. Larry Rigby seconded the motion and voting was unanimous.

Conditional Use Permits

1. Consider granting a conditional use permit to allow an in-home preschool for more than 8 children per session at 2984 S. 50 W., Beth Peterson, applicant.

Beth Peterson, applicant, was present. Blaine Gehring explained that in-home day-care and preschool activities are allowed in all residential zones in Bountiful. The State Law allows for up to 12 children and Bountiful allows up to 8 children without a conditional use permit. Bountiful will allow up to 12 children with a conditional use permit.

Beth Peterson would like to conduct a preschool in her home with up to 12 children per session. The property is located at 2984 S. 50 W. which is a street with access east and west to larger feeder streets. Traffic would not be restricted nor congested as it would be on a cul-de-sac or other limited access streets. Many of the students will walk to the school with a car pooling system in place as well for any others.

The application does not mention any outside activity associated with the preschool. If each session runs a typical 3 hours, there may not be any extensive outside activity. The rear yard is not totally fenced. If outside activity will be provided, the rear yard needs to be totally fenced.

Staff recommends granting the conditional use permit to allow a preschool with up to 12 children per session and two sessions per day with an outside teacher coming into the home with the condition that if outside activity is provided, the rear be totally fenced.

Public hearing was opened for any comments. Public was closed due to no comments.

Larry Rigby made a motion to grant a conditional permit for an in-home preschool for more than 8 children at 2984 S. 50 W., Beth Peterson, applicant. Barbara Holt seconded the motion and voting was unanimous.

2. Consider granting a conditional use permit for used car sales at 185 S. Main (rear), William Wortley, applicant.

Bill and Janet Wortley were not present. Blaine Gehring mentioned that since the applicants were not present a public hearing has been scheduled and is required.

A public hearing was opened for all those present with comments. Public hearing was closed due to no one present.

Barbara Holt made a motion to table this item until further notice. Michael Allen seconded the motion and voting was unanimous.

Site Plans

1. Consider final site plan approval for an office/retail building at 300 W. 500 S., Security Investment, owner.

Fred Cox, representing Security Investment, was present. Paul Rowland explained that the Planning Commission recommended preliminary site plan approval at the August 19th meeting. Of the conditions sited at that time, only the issue of the drainage problems at the east end of the property remained a problem. Security Investment has submitted a revised site plan for their office/retail/restaurant building on the north side of 500 South between 285 West and 350 West streets. The plan is exactly the same as the preliminary proposal with the drainage issue corrected. After long discussions with the City Engineer, the building was raised a foot. Other options just did not work

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

1. Payment of the following fees:

a.	Water Impact Fee	Waived, using existing connection
b.	Sewer Impact Fee	Waived, using existing connection
c.	Storm Water Impact Fee	Waived for onsite detention
d.	Building Fees	Determined with Building Permit
2. Repair or replace any and all damaged curb, gutter and sidewalk along the entire frontage of the property.
3. Slight additions to the grading plans to show drainage in front of building.

There was a discussion with Fred Cox on raising the building one foot and the water drainage. It was also mentioned that a good percentage of the office space has been pre-signed and a deli is also being looked at.

Tom Smith is still being bothered by the long-straight look of the building. Mr. Smith asked about having a guarantee that the awnings will be put up. Without the awnings it will look more like a warehouse rather than an office building. Mark Green has the same concerns.

Tom Smith made a motion for final site plan approval for an Office/Retail Building at 300 W. 500 S. subject to the conditions outlined by Staff and the addition of the following:

4. Building have at least the bottom level with canopies/awnings installed and both levels are preferred as shown on the rendering.

Duane Gardner seconded the motion and voting was unanimous.

2. Consider preliminary site plan approval for a 4-plex at 182 W. 300 N., Rick Spjut, developer.

Rick Spjut, developer, was present. Blaine Gehring explained that Rick Spjut has purchased the property at 182 W. 300 N. and plans on building a new 4-plex. The building would sit toward the back of the property with parking up front and large landscaping buffers on either side. The units of 2-bedrooms each which require 2.25 stalls per unit which equals 9 stalls which have been provided. There is a total of 43% of the site in landscaping.

There are a few problems with this proposal and that is why it is being submitted only for preliminary approval. First, the site plan and landscaping plans do not match. The site plan still shows the shared asphalt driveway on the west side of the property while the landscaping plan shows that area in landscaping. The shared driveway needs to be done away with and plans shown how the remaining single driveway will be accommodated with a revised entrance.

Second, the ordinance requires that not more than 50% of the total exterior of the building be in siding or stucco. A quick review would indicate that only about a third of the exterior is in brick. That needs to be modified.

Third, while a dumpster enclosure has been provided, it is only 4 feet from one of the front door of one unit. Not only is that less than desirable, it could pose a potential health and fire hazard. The dumpster enclosure needs to be moved up closer to the street perhaps next to the existing garage to the west. The ordinance calls for that enclosure too made of the same material as the exterior of the main building. It should be made of brick.

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

1. Submit site and landscaping plans which match as to overall site detail.
2. Submit building elevations which show not more than 50% of the building's exterior in siding or stucco.

3. Relocate the dumpster away from any front entry to any unit and show it in a material to match the building's exterior.
4. Provide a 10 ft. wide public utility easement along the front property line and along the rear property line (if none exists).
5. Check for overhead conflicts with the power line along the rear.
6. Building roof drainage must drain to the street; landscaping may follow natural drainage.
7. Provide construction site runoff plan.
8. Show modification to the existing shared driveway showing a Bountiful Standard Type A drive approach for the remaining portion of the shared driveway and show a type A drive approach for the new drive approach.

There was an explanation of a Bountiful Standard Type A drive approach and a discussion on the parking being in the front of the units.

Duane Gardner feels that the City is crowding too many units in a small space. Not only this project but other projects that have been approved recently. Mr. Gardner is proposing that the City look into the ordinances for possible changes.

Duane Gardner made a motion for preliminary site plan approval for a 4-plex at 182 W. 300 N., subject to the conditions outlined by Staff and the following additions:

9. Provide private patios for each unit.
10. Repair all street improvements along the frontage.
11. Unfinished basements may not be finished into bedrooms.

Larry Rigby seconded the motion and voting was unanimous.

Meeting adjourned at 7:45 P.M.