

PLANNING COMMISSION MINUTES

August 19, 2008

7:00 P.M.

Present: Chairman Clark Jenkins, Michael Allen, Dave Badham, Barbara Holt, Ray Keller, City Council Representative Beth Holbrook, City Attorney Russell Mahan, City Engineer Paul Rowland, Planning Director Aric Jensen, and Recording Secretary Connie Feil.

Absent: Vice Chairman Tom Smith.

Clark Jenkins welcomed all those present.

Dave Badham made a motion to approve the minutes for August 5, 2008 as written. Beth Holbrook seconded the motion and voting was unanimous in favor.

1. PUBLIC HEARING - Consider preliminary subdivision plat approval for Jensen Subdivision located at 3139 S. Crestview Circle, Helen Jensen, applicant.

Trent Preston, representing the applicant, was present. Helen Jensen, applicant, was also present.

Paul Rowland explained that Helen Jensen has submitted a request for a lot split subdivision at 3139 South Crest View Circle. In 2003 the lot just north of this lot was split in the exact same manner.

The existing lot is Lot 3 of Block 6 of the Irfred Park subdivision, which was platted in the 1940s. It is 100 ft. by 200 ft. deep with frontage on both Crestview Circle and Orchard Drive. Located in an R-4 zone, the minimum lot size is 8,000 sq.ft. with a minimum frontage of 70 feet.

The proposed subdivision consists of two lots. The larger lot, which fronts onto Crestview Circle and contains the existing house and garage, will be 100 ft. x 114 ft. The newly created lot is proposed to front onto Orchard Drive and will be 100 ft. wide and 86 ft. deep. The grade of the new lot falls about 8 ft. from the existing Orchard Drive curb and gutter to the rear of the lot, which will work very well as a walk out basement lot.

With the exception of the sewer, all utilities are available to the new lot from either Crestview Circle or Orchard Drive. The power, phone and cable in the area are all overhead and can easily serve the proposed new lot. The culinary water is located in Orchard Drive and new sewer service to the property will need to be installed from Crestview Circle along the south side of the existing lot in an easement provided for this purpose.

Because the proposed lot fronts onto Orchard Drive, Staff recommends that a condition be placed on the approval that the new lot be required to have a circular drive or other turnaround

arrangement to prevent the new occupant from being forced to back onto the street. Even though there is no sidewalk in the area, North Salt Lake has recently completed a project installing a sidewalk along Orchard Drive further south and it is appropriate that a sidewalk be installed along the frontage of this property when a new home is constructed on the lot.

While this subdivision is splitting a lot in an existing subdivision, Staff believes it meets the requirements of the City Councils policy on lot splits for the following reasons:

- a. The existing lot already fronts two streets so the new lot will front onto Orchard Drive, away for Crestview Circle.
- b. The new lot does not obstruct any homes in the existing subdivision except the one requesting the split.
- c. The same subdivision was granted to the adjacent lot three years ago, with the findings that it would not adversely affect the existing homes in the Irfred Park Subdivision.

Because this lot has the ability to be split with the newly created lot having frontage on an existing street, away from all of the neighbors and both lots exceed the minimum requirements of the zone, Staff recommends that the Planning Commission send favorable recommendation to the City Council for preliminary approval of the Jensen Subdivision with the following conditions:

1. The sidewalk and circular/turnaround drive be provided when a building permit is granted and a home built on the new lot.
2. The new lot be required to have a 30' setback from Orchard Drive to provide for the circular driveway and to provide a little more separation from the street.
3. A 10 ft. wide easement in favor of lot 3-B be provided along the south line of lot 3-A to provide for the new sewer lateral.
4. Provide a current Title Report for the property.
5. All development conform to Bountiful City ordinances.
6. Because a Jensen Subdivision already exists, a name change will be required.

The public hearing was opened for all those with comments and concerns.

Mr. Cesario, residing at 3153 S. Crestview Circle, explained that most of this subdivision has large ½ acre lots and now the lots are being divided to created smaller lots with more homes. He had concerns with more people and changing the neighborhood.

Helen Jensen explained that when the Hadley's divided their property she was totally against it. At that time she was told that she could also go through the same process and have her property divided if she desired to. Mrs. Jensen now desires to split the property and sell both parcels. She

is now in her 90's and can't take care of it herself.

The public hearing was closed without further comments.

Mr. Mahan explained that property is now worth a lot of money and that dividing property has become an issue. There is a tendency for large lots to be divided and given or sold to the children and then the original lot is also sold. This is not a good way for planning a subdivision, but there are exceptions. There was a general policy approved that a double fronting lot could be divided on an individual basis.

There was a discussion regarding the circular driveway. There were concerns that there will not be enough room to accommodate the driveway. Aric Jensen suggested moving the rear property line back 8 ft. to provide more room for the circular driveway. This could be an additional condition for approval.

Trent Preston mentioned there would be no problem with adjusting the property line.

Beth Holbrook made a motion to recommend to the City Council preliminary approval for a lot split to create the Jensen Subdivision 3139 S. Crestview Circle subject to the conditions outlined by Staff with the following additional conditions:

7. Approval be subject to the subdivision vacation hearing with the City Council.
8. The minimum front yard setback be based upon the Circular driveway ordinance.

Barbara Holt seconded the motion and voting was unanimous in favor.

2. PUBLIC HEARING - Consider preliminary and final subdivision PUD approval for Kathryn Lane PUD, located at 175 W. 1000 N., Kathryn Eckman, applicant.

Kathryn Eckman, applicant, was present. Paul Rowland explained that in May 2007 the Planning Commission and City Council approved this project as an eight unit condominium development. It was recorded at the County Records office in August of 2007. Ms. Eckman is now requesting that this condominium be changed to a planned unit development. While the difference between a PUD and condo development is very subtle, she reports that changes in the banking industry over the past year have caused funding for condos to disappear while funding for PUD's is still available. The only real change is the name of the plat. Nothing changes with the floor plans, side yards, set backs, parking, landscaping, etc., only the name will change and the driveways have been shown as private area rather than common area as before.

Changing this development from a condo to PUD requires a public hearing and that the original

condo plat be vacated and the new PUD plat recorded in its place. No other actions will be required. Because none of the work has started, the same conditions imposed with the original approval still need to be met, such as posting of a proper bond, etc.

Staff recommends that the Planning Commission send a favorable recommendation to the City Council for preliminary and final PUD plat approval of the Kathryn Lane Planned Unit Development with the following conditions:

1. Have the Kathryn Lane Condo plat vacated by ordinance
2. Submit a current title report
3. Complete a Development Agreement with the City
4. Meet all requirements of City Land Use Ordinances
5. Provide a complete Storm Water Pollution Prevention Plan.
6. Post the bond and pay the required fee per the bond letter
7. Make minor changes to the plat and site plan per red lines

The public hearing was opened for all those with comments and concerns.

The public hearing was closed without comments.

After a brief discussion Barbara Holt made a motion to recommend to the City Council preliminary and final PUD plat approval of the Kathryn Lane Planned Unit Development located at 155 W. 1000 N. subject to the conditions outlined by Staff. Dave Badham seconded the motion and voting was unanimous in favor.

3. Consider preliminary commercial site plan approval for Silver Creek Commercial Complex located at 500 N. 500 W. also preliminary and final commercial building design approval for Mike & Sterling's Flooring located at 468 N. 500 W., Jeremy Terry, applicant.

Jeremy Terry, applicant, was present. Aric Jensen explained that the applicant is requesting preliminary site plan approval for the Silver Creek Commercial Center, and building design approval for the Mike and Sterling's Flooring America Building. As shown on the proposed site plan, there will be several buildings within this development, however, Mike and Sterling's is the only one ready for approval at this time. The other buildings will come in for individual review as they become ready.

The property is located in the Heavy Commercial zone and encompasses the former Bonneview Trailer Park, the existing Parts Plus Store, a former motel, and the two residential lots on 400 N. that were recently rezoned. All together there is approximately 3.3 acres of land.

The proposed development is essentially an "L" shape that wraps around the Common Cents site and that has frontage on both 400 North and 500 West. The property will access 400 North via a

shared drive approach with Common Cents that has already been constructed. The proposed drive approach on 500 South has not yet received final UDOT approval, and so one of the conditions should be written access approval from UDOT.

A total of 134 parking spaces is required for the entire development. Under the proposed configuration, a disproportionate number of stalls are allocated to the Mike and Sterling's area, and an insufficient amount is provided for the State Liquor Store area. Staff and the applicant met and agreed that it would be beneficial to all to relocate one row of parking on the west side of Mike and Sterling's to the east side of the building. This would be accomplished by shifting the Mike and Sterling's building 20 feet westward and adding a row of parking to the Liquor Store area. This change will not materially affect drainage, grading, utilities, the total number of parking stalls, or any other significant site aspect.

There is an irregular jog in the driveways at the point of confluence near the center of the project. This makes it difficult for delivery and trash trucks to access the Liquor Store. Staff has recommended, and the applicants agreed, to construct a mini roundabout without a center island to make access easier. This is shown on the redlined plan.

Currently the site plan shows a single 8" water line entering the project from 500 West and running to a fire hydrant near the center of the project. The hydrant location looks fine, however, the City Engineer requires that the fire line be looped between 400 North and 500 West instead of simply stubbed in. With the addition of the looped water line there will be more than ample culinary water for this development.

The property naturally drains to the northwest, however, there is no storm drain system on the east side of 500 West. The proposal is to install a detention basin on the west side of the project that would temporarily store the runoff from this development. The applicant would have to directionally bore under 500 West to attach to the existing storm drain unless another route can be found.

The commercial pad on 400 North will most likely become a fast food restaurant. The applicants are currently in negotiations with a tenant and the exact configuration of that particular building will be shown on the final site plan drawings, or the applicants will come back with an amended site plan at a future date, depending upon how fast the negotiations take place.

The Mike and Sterling's Building is essentially the prototypical retail/warehouse building. It is constructed out of a mix of split-faced and honed CMU (cement block), with ledger stone accents on the corners and around the front door. The doorways will be protected by heavy timber gable-like roof protrusions. The offices and display areas will face 500 West and provide an attractive street presence.

Staff recommends final approval of the Mike and Sterling building elevations, and preliminary site plan approval for Silver Creek Commercial Center, with the following conditions:

1. The Mike and Sterling's building be shifted westward and an additional row of parking be provided in front of the proposed liquor store.
2. The mini roundabout be constructed at the confluence of the driveways.
3. The 8-inch fire line be looped between 500 West and 400 North and an accompanying easement be provided.
4. The outlet and connection for the detention basin be identified.
5. The final site plan include the layout of the proposed fast food restaurant, or an amended site plan be provided at a future date showing that layout.
6. Provide written access approval from UDOT.
7. Any other redline corrections be made prior to final submittal.

Jeremy Terry explained that the colors and design for each building will be architecturally designed and will be consistent with the whole project.

There was a discussion regarding adequate parking for the complex, building design and colors, fencing, and the location for the storm drain system.

Michael Allen made a motion to recommend to the City Council preliminary commercial site plan approval for Silver Creek Commercial Complex subject to the following conditions:

3. The 8-inch fire line be looped between 500 West and 400 North and an accompanying easement be provided.
4. The outlet and connection for the detention basin or engineered retention system be identified.
5. The final site plan include the layout of the proposed fast food restaurant, or an amended site plan be provided at a future date showing that layout.
6. Provide written access approval from UDOT.
7. Any other redline corrections be made prior to final submittal.

Beth Holbrook seconded the motion and voting was unanimous in favor.

Barbara Holt made a motion to table preliminary and final commercial building design approval for Mike & Sterling's Flooring to give the applicants time to put together a project color and materials

board that will create a uniform appearance for the entire development. Dave Badham seconded the motion and voting was unanimous in favor.

Meeting adjourned at 8:22 P.M.