

## PLANNING COMMISSION MINUTES

January 6, 2009

7:00 P.M.

Present: Chairman Clark Jenkins, Vice Chairman Tom Smith, Dave Badham, Michael Allen, Ray Keller, City Attorney Russell Mahan, City Engineer Paul Rowland, Planning Director Aric Jensen, and Recording Secretary Connie Feil.

Absent: City Council Representative Beth Holbrook and Barbara Holt.

Clark Jenkins welcomed all those present.

Ray Keller made a motion to approve the minutes for December 2, 2008 as written. Dave Badham seconded the motion and voting was unanimous in favor.

### **1. PUBLIC HEARING - Consider vacating a condo plat located at 845 S. Main, Thomas Smith, applicant.**

Tom Smith excused himself from this item.

Tom Smith, applicant, was present. Aric Jensen explained that Mr. Smith is requesting that the City vacate the "Main Street Professional Plaza Condominiums" subdivision plat. Mr. Smith and his wife own the property, and US Bank is the lien holder. Staff received a letter from US Bank dated October 24, 2008, stating that the Bank does not object to this action.

The effect of vacating this subdivision plat is that the two buildings and the land would revert to their previous state prior to the plat being recorded, which is a metes and bounds lot. This is a relatively straightforward process, except that in this instance there are a couple of cross access agreements that will need to be worked out at a future date.

Staff recommends approval of the petition to vacate the "Main Street Professional Plaza Condominiums" subdivision plat, with the condition that the cross access agreements be resolved at a future date.

Tom Smith explained that the reason for the change is because he is being assessed taxes and fees for each unit. Mr. Smith originally purchased the property as 24 condominiums, but now would like to consolidate ownership.

The public hearing was opened. The public hearing was closed without comments.

After a brief discussion Ray Keller made a motion to recommend to the City Council approval to vacate the "Main Street Professional Plaza Condominiums" subdivision plat, with the condition

that the cross access agreements are resolved at a future date. Dave Badham seconded the motion and voting was unanimous in favor.

Tom Smith returned to the table with the Commission.

**2. PUBLIC HEARING - Consider a two-lot subdivision located at 3727 S. 400 E., Vaughn Jenkins, applicant.**

Vaughn Jenkins, applicant, was present. Paul Rowland explained that Mr. Jenkins is requesting a two-lot subdivision at 3727 South 400 East. This parcel was developed as a single metes and bounds lot in the 1990's and has never been included in a subdivision.

The proposed subdivision consists of two lots. The larger lot, with 101.38 ft. of frontage, contains the existing house and garage and will be 17,419 sf. in area. The newly created lot will have 80.62 ft. of frontage and will contain 11,000 sf. These frontages and areas meet or exceed the R-3 Zone minimums. The grade of both lots is quite steep, rising sharply from the street to the buildable areas. Because this is in the R-3 zone, a buildable area of at least 3,000 sf. is required on the new lot, which has a buildable area in excess of 5,000 sf., thus exceeding the required minimum.

With the property on the steep uphill side of the street, the driveway for the existing house cuts diagonally across the front of the entire parcel. This brings the driveway serving the proposed lot 1 across the front of lot 2, requiring that they share a drive approach. A right of way has been reserved on the proposed subdivision plat across a portion of lot 2 to cover the shared access arrangement. Because the grade of the parcel is so steep, the garage will probably end up in the lower level of any new home on lot 2.

All utilities are available to the new lot from 400 East Street, and sidewalk and curb and gutter already exist along the entire frontage.

Because this parcel is not located in an existing subdivision and both new lots meet or exceed the minimum requirements of the zone as specified in the Bountiful City Zoning Ordinance, Staff recommends that the Planning Commission send favorable recommendation to the City Council for Preliminary and Final Approval of the Vaughn Jenkins Subdivision with the following conditions:

1. Bonds shall be posted with the building permits of any new home construction to cover possible damage to the existing street improvements.
2. Provide a current Title Report for the property.
3. Make red line corrections to the plat.
4. All development shall conform to Bountiful City ordinances.
5. Payment of the following fees:
  - a. Storm Water Impact Fees: \$1,370.00

b.	Checking Fees:	200.00
c.	Recording Fees:	<u>50.00</u>
	TOTAL	\$1,620.00

Vaughn Jenkins explained that he would like to have his lot divided for a future sale. It will make it easier to sell his existing home if it is not on such a large lot. He has no immediate plans to sell or build.

The public hearing was opened. The public hearing was closed without comments.

Michael Allen made a motion to recommend to the City Council preliminary and final approval for a two-lot subdivision located at 3727 S. 400 E. subject to the conditions outlined by Staff. Tom Smith seconded the motion and voting was unanimous in favor.

**3. Planning Director’s report and miscellaneous report.**

Aric Jensen explained that the Planning Commission is required to approve the new year’s Planning Commission Meeting schedule. Each commissioner received a copy of the proposed schedule in their packets. Clark Jenkins made a motion to approve the meeting schedule with deleting the December 15<sup>th</sup> date. Ray Keller seconded the motion and voting was unanimous in favor.

Mr. Jensen explained that Brian Knowlton would like to ask for guidance on a future submittal to the Planning Commission.

Mr. Knowlton explained that he would like to develop the Dave Lewis property on Mill Street. He has four families that would like to build their homes on this property. He has talked with Mr. Jensen about the option of developing the property as a PUD or as a regular subdivision. Mr. Knowlton would like to have an opinion from the Planning Commission.

There was a lengthy discussion between the Commission, Staff, and Mr. Knowlton. It was agreed that this property could be developed as a regular subdivision. Mr. Knowlton was given some dimensions to work with. Mr. Knowlton will continue to work with Staff until he is ready to make a formal submittal.

The meeting adjourned at 7:40 P.M.