

PLANNING COMMISSION MINUTES

July 20, 2010

7:00 p.m.

Present: Chairman Clark Jenkins, Vice Chairman Tom Smith, Dave Badham, Michael Allen, Barbara Holt, Von Hill, City Council Representative Beth Hobbrook, City Attorney Russell Mahan, City Engineer Paul Rowland, Planning Director Aric Jensen, Youth Council Representative Jasilyn Brinkerhoff, and Recording Secretary Connie Feil.

Clark Jenkins welcomed all those present.

Beth Holbrook made a motion to approve the minutes for June 29, 2010 as written. Dave Badham seconded the motion and voting was unanimous in favor.

1. PUBLIC HEARING – Consider approving a zone change from R-4 (Residential) to C-G (Commercial/General) located at 757 W. 3200 S., Bart Malan, applicant.

Chairman Jenkins welcomed the Scouts to the meeting and explained the public hearing procedure.

Bart Malan, applicant, was present. Aric Jensen explained that Mr. Malan is requesting a zone map amendment from Single-Family (R-4) to General Commercial (C-G) for the property located at 757 W. 3200 South. This property is surrounded by non-residential uses, specifically the LDS chapel on the south, a commercial/retail building to the west, a parking lot to the north, and the LDS chapel driveway to the east.

Whenever the Planning Commission considers a request for rezone, it is reviewed in accordance with the provisions of *14-2-205 AMENDMENTS TO ORDINANCE AND MAP*, which are as follows:

B. For the purpose of establishing and maintaining sound, stable, and desirable development within the City, it is declared to be the public policy that amendments should not be made to this Ordinance or Map except to promote the objectives and purpose of this Title, the Bountiful City General Plan, or to correct manifest errors.

Mr. Jensen used Google Earth to show the subject property and surrounding properties. The subject property is adjacent to a small commercial center that was developed in the Unincorporated County. The commercial center is woefully under-parked and does not meet City standards in most aspects. The intention of Mr. Malan is to market the property to the commercial center owner, or to tenants of the commercial center who need additional parking/storage area.

Mr. Malan's petition to include the property with the other adjacent properties designated C-G is consistent with the intent of the C-G zone, which is to create areas of commercial zoning that are at

least 2.0 acres in size (Section 14-6-102 and Table 14-6-102). With the addition of the subject property, this area of C-G zoning would be approximately 2.0 acres in size.

Mr. Jensen continued to explain that the downside to Mr. Malan's petition is that the subject property is less than a .25 acres in size, and is not a very useful commercial parcel on its own. Mr. Malan's assertion is that the existing dwelling on the property is in such poor condition that he either needs to make a substantial investment in it or change the property to another use. Staff agrees that the best use of this property is not single-family residential, and that General Commercial makes the most sense for this property. The ideal situation would be to combine this property with the existing commercial center on the corner, and use it either as parking or to level everything and start over. The best option is probably to rezone this property rather than have the applicant invest more money in it as a single family development.

Staff recommends approval of the proposed zone map amended from Single-Family (R-4) to General Commercial (C-G) for the property located at 757 W. 3200 S. with the finding that it is consistent with the Bountiful Land Use Ordinance.

Mr. Malan explained that this property was vacant for 2 years before he remodeled the home which he and his sons now live. The property feels like commercial because of the commercial surrounding the home. Mr. Malan feels that this home could be converted to a beauty salon, a massage business or a small professional office. If the existing home is not used for a small business, the property could be combined with the complex to the west for more parking, storage or an addition to the existing businesses.

The public hearing was opened for all present with comments or concerns.

The public hearing was closed without any comments.

There was a discussion and the Commission specifically stated that the church driveway on the east side of this property should be the limit for commercial development/zoning in this area. The Commission also directed staff to contact the owner of the property located immediately opposite the subject property (on the north side of 3200 S) to see if he would be interested in rezoning to C-G. That property is also currently zoned R-4, but is improved as a parking lot/storage area and has been continuously used as such since prior to being annexed into the City. It is probably in the best interest of the City for the property to be zoned C-G in order to prevent the possibility of a single family dwelling from ever being constructed there.

Tom Smith made a motion to recommend to the City Council a zone change from R-4 (Residential) to C-G (Commercial/General) located at 757 W. 3200 S. subject to the east side of the property being the boundary line for commercial zoning in this area. Barbara Holt seconded the motion and voting was unanimous in favor.

- 2. Consider preliminary and final mixed commercial/residential site plan approval for Bountiful Lumber Subdivision located at 190 S. Main, Brian Knowlton, applicant.**

3. Consider preliminary and final PUD plat approval for Bountiful Lumber Subdivision located at 190 S. Main, Brian Knowlton, applicant.

Vice Chairman Tom Smith recused himself from this item.

Brian Knowlton, applicant, was present. Aric Jensen explained that Mr. Knowlton is requesting preliminary and final site plan and preliminary and final plat approval for a mixed commercial/residential development at 170 South Main Street, Bountiful, Utah. The proposed development is located on the former Bountiful Lumber property, and consists of the existing Bountiful Lumber retail building, a new three-story mixed-use building located north of the Lumber building, and a new three story multi-family residential building located west of the Lumber building in the area where the lumber sheds are currently located.

The existing Bountiful Lumber retail building is a single-story building with rough basement and approximately 5,600 sq ft on the main level. The basement is only suitable for mechanical equipment and storage. Mr. Knowlton intends to rehabilitate the entire main level and convert it to professional office space. A single tenant, Deseret Health Group, is under contract to take the entire space.

The proposed mixed-use building is approximately 1,500 sq ft on each level, with the main level designed for retail use, the second level designed for two residential units, and third level encompassing one residential unit. Each residential unit will have at least one balcony, with covered parking located to the rear. Mr. Jensen reviewed the drawings submitted showing the proposed building elevation and a color rendering of the proposed mixed-use building facing Main St., which has been modified as recommended by the Planning Commission.

Paul Rowland explained that Mr. Knowlton has provided a written agreement from the adjoining property owner to run the storm drain northwest to the new city storm drain on 100 West. Mr. Knowlton is installing an on-site, underground storage detention system located under the parking lot. Mr. Knowlton has made all of the redline corrections such as solid dumpster enclosure, curb and gutter construction, additional shared parking and at least 10% landscaping on site. It is proposed that staff and the applicant develop the final landscaping plan prior to issuance of the certificate of occupancy.

Mr. Rowland explained that the PUD plat with three units has been submitted. The subdivision plat is essentially a PUD with building pads and common areas; however, at some point in the future the mixed use pad/lot (unit 3) and the apartment pad/lot (unit 1) will be subdivided into condominium units. Unit 2 will remain as a commercial unit with a single owner and single use. The multi-family residential building (unit 1) contains ten units, and faces south onto 200 South. Unit 3 will have one commercial unit on the main floor and 2 residential units on the 2nd floor and 1 unit on the 3rd floor. An illustration showing both the front (south facing) and side (east facing) building elevations were reviewed. The applicant has modified the design based on the Commission's recommendation and it will be constructed of the same materials as the mixed-use building.

Staff recommends preliminary and final site plan, and preliminary and final plat approval for the Bountiful Lumber mixed-use development with the following conditions:

1. The applicant provide a landscaping plan meeting the minimum City requirements and to the satisfaction of City staff during construction but prior to the granting of final occupancy.
2. All other redline corrections be made as indicated by staff.
3. Post the required bonds and pay required fees.
4. Provide the necessary plat documents ready for signatures.
5. Sign a Development Agreement with the City.

There was a discussion among the Commission Members and Mr. Knowlton regarding the colors of brick for the new structures.

Beth Holbrook made a motion to recommend to the City Council preliminary and final site plan and preliminary and final plat review approval subject to the conditions outlined by staff. Dave Badham seconded the motion and voting was unanimous in favor.

Meeting adjourned at 7:40 p.m.