

PLANNING COMMISSION MINUTES

August 20, 2013

7:00 p.m.

Present: Chairman Tom Smith, Vice Chairman Dave Badham, Planning Commission Members, Sharon Spratley, Sean Monson, Michael Allen, City Engineer Paul Rowland, Planning Director Aric Jensen, Recording Secretary Connie Feil.

Absent: City Council Representative Beth Holbrook, City Engineer Paul Rowland and Planning Commission Member Von Hill.

Chairman Tom Smith welcomed all those present and had all Commission Members introduce themselves.

1. Approval of the minutes for August 6, 2013.

Michael Allen made a motion to approve the minutes for August 6, 2013 as written. Sean Monson seconded the motion and voting was unanimous in favor.

2. Consider preliminary and final site plan approval for DuMc Place at 147 W. 300 S., Robert McArthur, applicant.

3. Consider preliminary and final PUD plat approval for DuMc Place located at 147 W. 300 S., Robert McArthur, applicant.

Items 2 & 3 are being held at the same time.

Larry Dupaix and Robert McArthur, applicants, were present. Aric Jensen explained that the applicants are requesting site plan and subdivision plat approval for a 3 unit multi-family residential development at 147 West 300 South, in the RM-19 zone. Multi-family residential is a permitted use in this zone.

The proposed development is a mix of single and two-story units, with an eclectic exterior design finished in stone and stucco. City ordinance requires that the exterior of multi-family units have at least 50% brick or stone, and staff estimates that the current plans show only about 25% stone exterior treatment. One condition should be to increase the exterior stone treatment to meet the 50% requirement.

The proposed development is atypical of most multi-family developments in that all three units will have individual driveways connecting to the street and no shared parking. They are effectively attached single family dwellings, and so the parking standard, driveway width, etc, applied are those for single family dwellings. Each unit will have at least two covered parking stalls and two uncovered spaces in the driveways, which meets the minimum requirements of the ordinance.

As a result of each unit having its own driveway within a relatively small amount of frontage, all of the sidewalk and curb and gutter must be replaced as part of the construction process and before final occupancy of any of the residential units is granted. Also, because these units will be built as a single structure, the building construction bonds can be used to cover the replacement of the curb, gutter, and sidewalk, and the installation of the water and sewer laterals instead of an independent public improvements bond.

Paul Rowland explained that the applicant has submitted a landscaping plan, a PUD subdivision plat prepared by Hill and Argyle Engineering, and a title report reflecting property ownership. The only site plan corrections are the addition of screening trees along the rear property line, and combining the three sewer outfalls into one large lateral rather than having three individual connections to the sewer main in 300 South.

With the exception of minor corrections, all of these items appear to be in order and are ready for final approval.

The proposed site plan has been reviewed by the Planning Department and Engineering Department, and the proposed PUD plat has been given a complete technical review by the Engineering Department.

Staff recommends preliminary and final site plan and PUD plat approval of the DuMc Place PUD with the following conditions:

1. All redline corrections shall be made and submitted with the building permit application,
2. Any and all required fees including recording, water lateral, etc. shall be paid in full,
3. All curb, gutter, and sidewalk shall be replaced before final occupancy is granted for any of the units.
4. A mylar copy of the final plat, ready for recording, shall be submitted with all of the required signatures.

There was a brief discussion regarding the percentage of exterior stone on the units and the percentage of hard surfacing on the property.

Larry Depaix thanked all the Staff for their input with this project. He also said that the water laterals, additional trees and brick will be taken care of.

Sean Monson made a motion to recommend to City Council preliminary and final site plan and preliminary and final PUD plat approval for DuMc Place subject to the conditions outlined by Staff and the addition of the following:

5. Increase the exterior stone treatment to at least 50%.

Sharon Spratley seconded the motion and voting was unanimous in favor.

4. PUBLIC HEARING – Consider a Conditional Use Permit to construct a monument sign that contains an electronic message center located at 2085 S. Orchard Dr., Goldenwest Credit Union, applicant.

Richard Evans and Jeff Randall, representing Goldenwest Credit Union, were present. Aric Jensen explained that Mr. Richard Evans is requesting a conditional use permit to construct a monument sign that contains an electronic message center, at 2085 South Orchard Dr. The subject property is located in the Mixed Use (MXD-R) zone, which allows electronic message centers as a conditional use, but only as part of a legal monument sign.

The proposed monument sign and electronic message center will be located near the southwest corner of the property. The entire sign will be approximately 54 sq ft in size, which is less than the maximum allowed 64 sq ft, and approximately 6 ft high, which is the maximum allowed. The sign is double sided, and faces generally north/south. The electronic message center portion of the sign is approximately 16 sq ft in size, which is less than the maximum 32 sq ft allowed, and is less than 50% of the entire sign area, as required by ordinance.

The following is a copy of the Bountiful Land Use Ordinance to be used when considering conditional use permits:

14-2-506 DETERMINATION

A. A conditional use permit shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the applicable standards.

B. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal, or if the imposition of reasonable conditions to achieve compliance with applicable standards is not possible, the conditional use permit request may be denied.

C. Standards applicable to conditional uses include all the requirements of this Title, and consideration of the following:

1. The location of the proposed use in relationship to other existing uses in the general vicinity.

2. The effects of the proposed use and/or accompanying improvements on existing developments in the general vicinity;

3. The appropriate buffering of uses and buildings, proper parking and traffic circulation, and the use of building materials and landscaping which are in harmony with the area.

4. The applicant, at his or her cost, shall provide any report and/or study relating to utilities, traffic impact, school impact, soil and water impact, existing conditions, line-of-sight and building massing, and any

other information requested by the City in order to render a proper decision.

Staff recommends a conditional use permit approval for the Goldenwest Credit Union monument sign and electronic message center as presented with the following conditions:

1. The sign shall be operated in accordance with the provisions of the Bountiful City Code,
2. The applicant shall obtain a building permit before commencing construction,
3. Any and all fees shall be paid.

Mr. Jensen explained the changes that the City Council made to the sign ordinance and stated that conditions may be given such as time of day for operation of the sign.

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

Canyon Evans, residing at 188 E. 2050 S., had concerns with the lights from the sign reflecting into his home. He asked if there could be no night time use and he questioned why this type of sign is necessary in a residential area.

Gordon Holbrook, owner of Gordon Copy & Print, understands the concerns of the surrounding residents with the lights reflecting into their homes. Mr. Holbrook has applied for a CUP to have the same type of sign for his business. He explained that his business is in a commercial area but he also doesn't want to offend anyone with his sign.

The public hearing was closed without further comments.

There was a lengthy discussion among the Commission. There were concerns with the lights reflecting into the surrounding homes, request having the sign off during the night hours of 11:00 p.m. to 6:00 a.m. and having a certificate signed by YESCO stating that the sign was installed to the specifications of the Sign Ordinance.

Sharon Spratley made a motion to grant conditional use approval of the Goldenwest Credit Union monument sign subject to the conditions outlined by Staff and the following additions:

4. Require the sign to be turned off from 11:00 p.m. to 6:00 a.m.
5. Provide a certificate from YESCO stating that the sign was installed in compliance with the ordinance.

Dave Badham seconded the motion and voting passed by majority vote 4-1 with Tom Smith voting nay.

5. Planning Director's report and miscellaneous business.

There was no further business to discuss.

Meeting adjourned at 7:40 p.m.