

Bountiful City
Planning Commission Minutes
October 21, 2014
7:00 P.M.

Present: Vice Chairman Dave Badham; Planning Commission Members – Mike Allen, Sean Monson, and Sharon Spratley; City Attorney – Russell Mahan; City Engineer – Paul Rowland; City Planner – Chad Wilkinson; and Recording Secretary – Darlene Baetz

Excused: Chairman – Tom Smith; Planning Commission Members – Von Hill; and Council Representation - Richard Higginson

1. Welcome and Introductions.

Vice Chairman Dave Badham opened the meeting at 7:00 pm and welcomed all those present.

2. Approval of the minutes for October 7, 2014.

Sharon Spratley made a motion to approve the minutes for October 7, 2014 as written. Sean Monson seconded the motion. Voting passed 4-0 in favor.

4. PUBLIC HEARING - Consider a rezone from Single Family (R-4) to General Commercial (C-G) for property at 724 West 3100 South, Ralph and Diane Crook, applicant.

Ralph and Diane Crook were present. Chad Wilkinson presented the staff report.

The applicants request a rezone from Single Family (R-4) to General Commercial (C-G) for the property at 724 W 3100 South. The applicant indicated that the purpose of the request is to facilitate the use of the property for indoor vehicle storage in an existing commercial warehouse building on the property. This property is part of a larger commercial use and site that extends into the property to the west. The commercial use is split by the City boundary with the west portion of the property located in a small island of unincorporated Davis County and the east portion located in Bountiful. Currently the commercial storefront is located in the County with a large warehouse associated with the business located in Bountiful City. The property is unique in that it is bordered by North Salt Lake City on the north and southwest, the County to the west and Bountiful City to the east and south. The use of the property as a warehouse is an existing legal nonconforming use within the R-4 zone.

Staff recommends approval of the proposed zone map amendment from R-4 (Single Family Residential) to C-G (General Commercial) for the property located at 724 W 3100 South.

Vice Chairman Badham opened the Public Hearing at 7:08 p.m.

Leann and Jim Haas resides at 718 W 3100 S expressed concern for future uses of this property as a commercial business and a concern that the Bountiful Code for C-G requires minimum zone area of 2.0 acres and a minimum lot area of half an acre.

Mr. Crook stated that the proposed use for this property would be indoor vehicle storage units.

Vice Chairman Badham closed the Public Hearing at 7:15 p.m.

Commission Members and Staff discussed:

1. The C-G zone would require a solid screen 6-ft fence between the property to the east.
2. The permitted uses for C-H, C-G and C-N.
3. The procedures and timeframe for annexing this property into Bountiful City.
4. That this is a non-conforming property and would not be able to change the business type without approval of the proposed rezone.

Mr. Wilkinson recommended that the properties to the west be annexed in from county in order to meet the minimum standards of the C-G zone.

Mike Allen made a motion to recommend to the City Council denial of a rezone from Single Family (R-4) to General Commercial (C-G) for property at 724 West 3100 South, Ralph and Diane Crook, applicant with the conditions outlined by staff. Sean Monson seconded the motion and voting was 2-2 (Motion Failed).

Staff discussed the options that the applicants would have for the property.

Sharon Spratley made a motion to table this item for 2 weeks to allow staff and applicant time to evaluate the information given to them. Dave Badham seconded the motion and voting was 4-0 in favor of approval of the postponement.

3. Consider a revised Conditional Use Permit to allow a Commercial and Multi-family Mixed Use development for property located at 95 W 300 South, Knowlton General, applicant.
(Public Hearing was held on October 7, 2014)

Ken and Shirley Knighton, owners and Aric Jensen with Knowlton General were present. Chad Wilkinson presented the staff report.

The original proposal was heard at a Public Hearing in the October 7, 2014 meeting. The applicants had proposed a conditional use permit for a mixed use commercial and multifamily development encompassing two existing properties. The Planning Commission recommended denial of the proposal based on concerns related to inclusion of the nonconforming use and uncertainty of the timing of the proposed second phase of the development. The Commission members continued the item to allow City staff an opportunity to provide additional input of the legality of the proposal.

The current proposal is limited to the 95 W 300 South property and includes a proposal for a 3-story mixed use building with 14 multifamily units and approximately 1800 square feet of commercial area located on the ground floor.

Staff recommends approval of the revised Conditional Use Permit with the following conditions:

1. The applicant shall submit a revised site plan meeting all the requirements of the Land Use Ordinance for review and approval by the Planning Commission and City Council. The site plan submittal shall include all the components required by Section 14-2-304 of the Land Use Ordinance.
2. The applicant shall submit revised parking analysis and tabulations demonstrating the development meet the minimum parking requirements of the land use ordinance.

3. The conditional use permit is contingent on maintaining a commercial use on the property that complies with the current land use ordinance.
4. Lighting for the project shall be shielded to avoid spillover on adjacent properties.

Sharon Spratley made a motion to approval the Conditional Use Permit to allow a Commercial and Multi-family Mixed Use development for property located at 95 W 300 South, Knowlton General, applicant with the four conditions as outlined by staff. Sean Monson seconded the motion and voting was 4-0 in favor of approval.

4. Consider approval of Findings of Facts for approval of the expansion of an existing non-conforming use at 1098 Canyon Creek Dr., Brad Hansen, applicant.

Mike Allen made a motion to approve the Findings of Facts for approval of the expansion of an existing non-conforming use at 1098 Canyon Creek Dr., Brad Hansen, applicant, as prepared by staff. Sean Monson seconded the motion and voting was 4-0 in favor of approval.

5. Consider approval of a Conditional Use Permit letter in written form to allow 120' flagpole and 2 large flags for Performance Ford at 1800 S Main Street, Performance Ford, applicant.

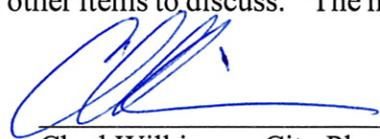
Staff clarified that the Conditional Use Permit follows the property not the owner.

Dave Badham made a motion to approve the Conditional Use Permit letter in written form to allow a 120' flagpole and 2 large flags for Performance Ford at 1800 S Main Street, Performance Ford, applicant, as prepared by staff. Sharon Spratley seconded the motion and voting was 4-0 in favor of approval.

6. Planning Director's report, review of pending applications and miscellaneous business.

1. Next Planning Commission meeting to be held on November 4.
2. Upcoming agenda items.

Vice Chairman Badham ascertained there were no other items to discuss. The meeting was adjourned at 8:45pm.



Chad Wilkinson, City Planner