

**Bountiful City  
Planning Commission Minutes  
January 6, 2015  
6:30 P.M.**

Present: Chairman – Tom Smith; Planning Commission Members – Mike Allen, Dave Badham and Sharon Spratley and Von Hill; City Council Representation – Richard Higginson; City Attorney – Russell Mahan; City Engineer – Paul Rowland; City Planner – Chad Wilkinson; and Recording Secretary – Darlene Baetz

Excused: Planning Commission Members – Sean Monson

**1. Welcome and Introductions.**

Chairman Tom Smith opened the meeting at 6:30 pm and welcomed all those present.

**2. Approval of the minutes for December 16, 2014.**

Richard Higginson made a motion to approve the minutes for December 16, 2014 as written with a correction to item 4. Correction should read "...approval for a ~~4-story~~ 2-story office building..." Dave Badham seconded the motion. Voting passed 6-0 in favor.

**3. Consider a Conditional Use Permit letter in written form for a fast food restaurant for Papa Murphy's located at 91 West 500 South, Lamont Theall, applicant.**

Richard Higginson made a motion to approve the Conditional Use Permit to develop a fast food restaurant for Papa Murphy's located at 91 West 500 South, Lamont Theall, applicant, as written with Condition #1 be removed from the conditions for approval. Sharon Spratley seconded the motion and voting was 6-0 in favor.

**4. Consider a preliminary and final approval for a 4-lot subdivision at 1090 E 400 North, Joan Peterson, applicant.**

Von Hill recused himself.

Joan Peterson was present. Paul Rowland presented the staff report.

The owner/developer is requesting a four lot subdivision which would require the removal of the existing home. Three lots would face onto Davis Blvd and one fronting onto 400 North and a corner lot fronting both streets. All of the lots contain the minimum lot size of 11,000 sf. The property currently has a single family home built across the property line between proposed lot 1 and 2. The existing house will need to be removed as a part of this subdivision process but the barn/garage could stay if wanted. All necessary utilities are available either on the property or in 400 North or Davis Blvd. New utility laterals will need to be cut into the fronting roads which will require an overlay of our recently overlaid Davis Blvd. There are no storm drain pipes in Davis Blvd or 400 North and will continued to drain as it has in the past. The developer will be required to pay the normal Storm Water Impact Fee. The existing sidewalk and curb and gutter are in relatively good condition with bonds being required on each building permit for the new house.

Staff recommends that the Planning Commission pass a recommendation for Preliminary Approval to the City Council with the conditions listed below.

1. Payment of all required fees.
2. Provide a current Title Report.
3. The name be changed because there is already a Peterson Subdivision in Bountiful City.
4. No building will be allowed in the mapped Special Flood Hazard Area.
5. Lot 2, the corner lot, shall have its access from Davis Blvd.

Mike Allen made a motion to recommend to the City Council to approve the preliminary site plan approval for a 4-lot subdivision at 1090 E 400 North, Joan Peterson, applicant, with the conditions outlined by staff. Sharon Spratley seconded the motion and voting was 6-0 in favor with Von Hill abstaining.

**5. Consider a preliminary approval for an 8 lot subdivision at 42 W 3100 South, Ruth Estates, Robert Lindsay, applicant.**

Von Hill recused himself.

Robert Lindsay, owner was present. Paul Rowland presented the staff report.

Robert Lindsay is requesting preliminary approval for an eight lot subdivision of four existing lots in Block 3 of the Val Verda Plat A Subdivision. The property is located in the R-3 zone and fronts onto 3100 South Street. It contains 2.61 acres and currently has two single family homes and several sheds.

In 2002, the Bountiful City Council adopted Resolution 2002-09, "A Resolution establishing the policy of the Bountiful City Council on the subject of vacating lots from subdivisions for the purpose of further subdivision into smaller lots." For seven reasons listed in the resolution, the Council adopted and has followed the finding that further dividing existing subdivision lots into smaller lots is "...as a general proposition, an undesirable form of development,...". The Council is currently in the process of further considering what modifications, if any, they may want to make to this policy.

The proposed subdivision would consist of eight lots that front onto a new 410 ft cul-de-sac.

Staff recommends approval to the City Council based on the following conditions:

1. All of the original subdivision lots affected by this proposal must be vacated from the Val Verda Subdivision by vote and ordinance of the City Council.
2. Payment of all required fees.
3. Post a bond and sign a development agreement for the required subdivision improvements.
4. Provide a current Title Report.
5. Pay for an overlay of the disturbed portion of 3100 South.
6. Preparation of construction drawings for the new cul-de-sac and detention basin.
7. Lots 1 and 8 shall only have access off of the new proposed cul-de-sac and not 3100 South.

Mr. Lindsay represents his family and discussed the original options for the property. He is currently working with neighbors and looking at the best options for the neighborhood. He explained the history of the right of easement access road and stated that Academy Mortgage does have a vested interest with the easement. Mr. Lindsay verified he is the owner or authorized representative for all the property include in the proposed subdivision.

Dave Badham discussed the proposed subdivision development looks like it was a planned subdivision. He is not in favor of the large lots being lost to development.

Mike Allen made a motion that we pass along an acknowledgement to the City Council that this meets the zoning ordinance and we request that the City Council review this policy and hold a Public Hearing allowing adjacent property owners be notified and allow their opinions be heard about the disintegration of these neighborhoods. Richard Higginson seconded the motion. Voting was 5-0 in favor with Von Hill abstaining.

**6. Consider new Chairman and Vice-Chairman for 2015 Planning Commission Meetings.**

Mike Allen made a motion to have Thomas Smith and David Badham remain as Chairman and Vice-Chairman for 2015. Von Hill seconded the motion. Voting was 5-0 with Tom Smith abstaining.

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

1. Joint Planning Commission and City Council working meeting to be held on January 13, 6:00 pm.
  - a. Completion of a Study of Senior Housing
2. Next Planning Commission meeting to be held on January 20.
3. Upcoming agenda items.

Chairman Smith ascertained there were no other items to discuss. The meeting was adjourned at 7:26 pm.

  
Chad Wilkinson, City Planner