Bountiful City
Planning Commission Minutes
June 2, 2015
6:30 P.M.

Present: Chairman – Tom Smith; Vice Chairman – Dave Badham; Planning Commission Members – Von Hill, and Sean Monson; 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 – Mike Allen and Sharon Spratley

1. **Welcome and Introductions.**

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

2. **Approval of the minutes for May 19, 2015.**

Sean Monson made a motion to approve the minutes for May 19, 2015 as written. Richard Higginson seconded the motion.

Voting passed 4-0-1 in favor with Commission Members Badham, Higginson, Hill, and Monson voting Aye with Thomas Smith abstaining as he was not present at that meeting.

3. **PUBLIC HEARING – Consider a rezone from Multi Family (RM-19) to General Commercial (C-G) for property at 444 South 100 West and 480 South 100 West, Tom Stuart, applicant.**

Tom Stuart was present. Chad Wilkinson presented the staff report.

The applicant, Tom Stuart is requesting a zone change from RM-19 (Multiple Family Residential-19 units per acre) to C-G (General Commercial) for two properties addressed 444 and 480 S. 100 West. The subject property is approximately .33 acres in size. Surrounding uses include single family residential use on the north commercial use on the east and south and commercial and residential use on the west.

The proposed zone change has been submitted in anticipation of a possible commercial development of the site. A potential site plan has been submitted; however, the current decision does not include approval of the use or site plan. One of the challenges of redevelopment of properties along the north side of 500 South is the very shallow depth of the properties. Many of the lots were formerly single family home lots that were converted to commercial use under previous code standards. They are difficult lots for commercial uses. Applying current landscaping and setback standards to these lots at the time of redevelopment creates challenges to constructing functioning sites that meet the current standards of the Code. The General Plan identifies this issue and encourages redevelopment of these properties.

In this particular location, the C-G zoning boundary does not extend as far to the north as the properties immediately to the west within the C-G zoning district boundary. The expansion of the General Commercial zone would be a logical extension of the zoning district boundary and would facilitate development of the properties consistent with surrounding commercially zoned properties

in the area.

The proposed zone change would remove two existing single family dwellings from an existing neighborhood and would extend commercial development further to the north. However, the extension is consistent with the commercial zoning boundary established along 500 south and the commercial development located to the east on 100 West. The zoning ordinance contains standards for buffering between zones that will mitigate potential impacts to adjoining residential properties.

Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed zone map amendment from RM-19 (Multiple Family Residential- 19 units per acre) to C-G (General Commercial) for two properties addressed 444 and 480 S 100 West.

Rusty Mahan stated that the rezone would have two hearings. The City Council will have a second public hearing to make a decision of this rezone. The Planning Commission does not approve or deny the application, they will only make a recommendation to the City Council.

Chairman Smith opened the Public Hearing at 6:38 p.m.

Scott Bradbury resides at 148 West 400 South. Mr. Bradbury would like to see the Planning Commission be more aware of this area. Growth is inevitable as the city changes but would like to see more control in this area.

Joel Wendel resides at 145 West 400 South. Mr. Wendel discussed the community's loss with past homes being demolished.

Lynn Bascom resides at 195 North 100 East. Mr. Bascom discussed the residential properties in the area.

Gayleen Webb resides at 480 S 100 West. Mrs. Webb discussed the quaint and beautiful feel of Bountiful.

Chairman Smith closed the Public Hearing at 6:57 p.m.

Commission Members discussed the situation for rezoning and where should the city draw the line for this area in rezoning. What would the impact be for more rezoning? The Commission expressed concern over the impacts to the existing neighborhood.

Mr. Wilkinson stated that to develop the zone of RM-19 the project would need to include 1 acre and would be a permitted use and not a Conditional Use Permit.

Dave Badham made a motion to forward a negative recommendation to the City Council for the proposed zone map amendment from RM-19 (Multiple Family Residential – 19 units per acre) to C-G (General Commercial) for two properties located at 444 South 100 West and 480 South 100 West. Richard Higginson seconded the motion.

Voting passed 4-1 in favor with Commission Members Badham, Higginson, Hill and Smith voting Aye with Sean Monson voting Nay.

4. PUBLIC HEARING – Consider approval of a Conditional Use Permit and preliminary site

plan to allow a Commercial and Multi-family Mixed Use development for Knowlton General to include 4 parcels located at approx 35 West 100 South and 195 South 100 West, Hepworth/Johnson, applicant.

Tom Smith recused himself from this item and turned the time over to the Vice-Chairman Dave Badham. Russell Mahan stated that Conditional Use Permits should be granted with approved conditions.

Brian Knowlton and Aric Jensen representing Hepworth/Johnson and Michael Hepworth were present. Chad Wilkinson presented the staff report.

The applicant is requesting Conditional Use permit and preliminary site plan approval for Phase 2 of a mixed use commercial/multifamily development located at approximately 35 West 100 South and 195 South 100 West within the D-N (Downtown) zoning district. Phase 3 includes 42 units of multifamily development consisting of seven 6-plex buildings.

Mixed Use developments are allowed in the Downtown Zone subject to review and approval of a conditional use permit by the Planning Commission. Phase 1 of the development received approval in 2011 and consists of mixed use buildings located on Main Street. The current proposal was included as a conceptual future phase in order to coordinate construction of storm drain improvements for Phase 1. The current review includes preliminary approval of the site plan as additional details will be required for final site plan approval.

The proposed residential buildings are consistent with the architectural character of the existing mixed use buildings constructed on Main Street as part of Phase 1. The building materials include a mix of brick and stucco accented with balcony elements. Buildings are setback the minimum 20 foot required on 100 West and 10 feet on 100 and 200 South as required by Code. Parking is located to the rear of the development and accessed through the existing Phase 1 parking lot and a new driveway on 100 West. There has been concern expressed regarding the location of the proposed dumpster. As a condition of approval, an alternate location should be identified that is not immediately adjacent to the existing single family residence.

Since the proposal includes development of currently vacant parcels the project will increase traffic in the area. The proposal meets the requirements of the Downtown Zone related to parking and access and the proposed building heights and setbacks meet the requirements of the zoning ordinance. Impacts to storm drain will be mitigated by construction of onsite detention. The property is located in a developed area with access to adequate sewer and water.

Staff recommends that the planning commission approve the requested Conditional Use permit for Phase 2 of the mixed use commercial/residential development and forward a recommendation of approval to the City Council for the preliminary site plan subject to the following conditions:

1. Complete any and all redline corrections, including modifications required for storm drainage on the site. Include the following:
   a. Provide storm water inlets at the 100 West drive entrance
   b. The storm detention will require the installation of four 36" pipes.
2. Prior to final approval, submit a final landscape plan meeting the requirements of Chapter 16 of the Bountiful City Zoning Ordinance.
3. Revise the dumpster location to an area that is not adjacent to the existing single family residential home.
4. Provide additional brick or similar materials in order to meet the requirement limiting stucco and similar materials to 50 percent of the exterior of the buildings.
5. Show how each unit will be provided with private outdoor space.
6. Show all dimensions on the site plan including driveway widths in all locations, setbacks to all structures including covered parking, etc.

Aric Jensen discussed the proposed urban style and the location of the dumpster near the home on the corner of 200 South and 100 West.

Vice Chairman opened the Public Hearing at 7:22 p.m.

Joyce Benard resides at 92 W Center St. Ms. Bernard asked for clarification of Conditional Use Permit. Mr. Mahan stated that there are 3 types of Permits: Administrative, Conditional and Legislative. The Conditional Use Permit allows for a proposed project to be approved with conditions imposed on it.

Lynn Bascom resides at 195 North 100 East. Mr. Bascom asked about the water retention for this project.

Phil Calder represents his mother – the garage was a Bishop storehouse and could be considered historical. Mr. Calder would like to see a solid fence between the proposed project and Mrs. Calder's home

Joel Wendel resides at 145 W 400 S. Mr. Wendel discussed the concern for possible traffic problems to arise from this project.

Kayla Cason resides at 108 S 100 W. Ms. Cason discussed the loss of large trees with this project. She would like to see as many existing mature trees saved in this area.

Tanya Bascom resides at 195 North 100 East. Mrs. Bascom would like to see more brick/stonemasonry instead of the stucco. She would like to ask that no more multi-family projects be allowed in this area.

Steve Benard resides at 92 W Center St. Mr. Benard discussed that the number of new families moving in with this project will have a detriment on the religious meeting at the tabernacle.

Richard Peterson resides at 131 North 100 East. Mr. Peterson is concerned about the extra traffic with the proposed project. He referred to the change in traffic when the Bountiful House was constructed.

Scott Bradbury resides at 148 W 400 S. Mr. Bradbury discussed the concern for the start time for

garbage truck pickup. Mr. Higginson stated that start time in the morning for garbage pickup could be called in to the sanitation department.

Tim Yates resides at 190 South 100 West. Mr. Yates would like to request a condition of a 2 story building be approved instead of a 3 story.

Mr. Jensen discussed that the landscaping of trees will help to create the urban look for the three story building. This proposed landscaping for this project will add in quite a few new trees

Joyce Benard resides at 92 Center St. Ms. Benard was concerned about the old fort district and the destruction of the beautiful older homes. She would like to see elevators installed in this new project.

Vice Chairman closed the Public Hearing at 7:46 p.m.

Sean Monson voiced his appreciation to the citizens present tonight showing the passion that each of them have for Bountiful City.

Mr. Higginson and Aric Jensen discussed that in 2007/2008 the City had several meetings to discuss the development of Main Street and the Downtown area to include parking and commercial development.

Mr. Rowland discussed the curb/gutter and sidewalks. There would be a requirement to the developer to remove and replace sidewalks that are in need of repair.

Mr. Higginson and Mr. Rowland discussed the existing traffic count and the proposed increased traffic in this area.

Mr. Higginson asked about the building height. Mr. Knowlton discussed that 1 in 3 units will be on the ground floor and available for ADA accessibility.

Von Hill made a motion to approve the Conditional Use Permit for Phase 2 of the mixed use commercial/residential development and forward a recommendation of approval to the City Council for the preliminary site plan for 35 West 100 South and 195 South 100 West with the 6 conditions outlined by staff. Sean Monson seconded the motion.

Voting was 4-0 in favor with Commission Members Badham, Higginson, Hill, and Monson voting Aye.

Thomas Smith rejoined the Commission.

5. Consider final site plan approval for Sessions Settlement, 167 West 100 South and 156 & 166 West 200 South, Sharm Smoot, applicant.

Sharm Smoot and Les Essig were present. Chad Wilkinson presented the staff report.

The applicant is requesting final site plan approval for a 19 unit multifamily development located within the RM-19 zoning district. The proposed development was reviewed by the Commission on May 5, 2015 and received preliminary approval from the City Council on May 12.

The submitted site plan is consistent with the preliminary site plan and meets the landscaping, setbacks and building height standards of the Code. Based on 19 units proposed, the submitted site plan will need to be modified to include one additional parking space. The predominant issue identified in the preliminary review was the need to modify the grading and drainage plans in order to meet City standards. The applicant has modified the drainage plan to the satisfaction of the City Engineer and with some small modifications the plan meets the applicable standards of the City Code.

The proposal will replace three single family homes with 19 units of multifamily housing. Traffic is expected to increase in the area and additional impacts will occur to utilities. However, the area is served by adequate utilities and infrastructure to serve the increase in density.

Staff Recommends approval of the request for preliminary site plan review subject to the following conditions:

1. Complete any and all redline corrections, including modifications required for grading on site.
2. In conjunction with the building permit, provide a final landscape plan in accordance with the standards of Section 14-16-104 of the zoning ordinance.
3. Provide one additional parking space on the site.

Paul Rowland discussed the drainage for the front of the project. The City is requiring an out pipe down 100 S to 200 W.

Sean Monson made a motion to recommend final approval to the City Council with the three conditions outlined by staff. Von Hill seconded the motion.

Voting was 4-0 with Commission Members Badham, Higginson, and Monson voting Aye.

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

1. Stoker School parking lot will be hosting Food Truck League every Fridays 6-10 until October.
2. There will be a public working workshop for Val Verda properties on June 11, 5:30 – 7:30 p.m.
3. Next Planning Commission meeting to be held on July 7, 2015.
4. Next City Council meeting to be held on June 9, 2015.
5. Upcoming agenda items.

Chairman Smith ascertained there were no other items to discuss. The meeting was adjourned at 7:37 p.m.

Chad Wilkinson, City Planner