

Bountiful City
Planning Commission Minutes
February 17, 2015
6:30 P.M.

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

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 February 3, 2015.

Richard Higginson made a motion to approve the minutes for February 3, 2015 as written. Von Hill seconded the motion. Voting passed 5-0 in favor. Dave Badham and Sharon Spratley abstained as they were not at that meeting.

3. PUBLIC HEARING - Consider a Conditional Use Permit and a preliminary site plan approval for a 131 unit Assisted Living/Memory Care facility located at approximately 430 West 400 North, Craig Smith, applicant.

Bob Beelek representative for the Smith family was present. Chad Wilkinson presented the staff report.

The property is zoned RM-13 which allows assisted living facilities as a conditional use subject to review and approval by the Planning Commission. The applicant originally applied for a zone change to RM-19 with a planned development overlay with a proposed increase in building height for the property. The decision on the previous application was tabled indefinitely by the Planning Commission. The applicant has since modified the proposal and has withdrawn their request for a zone change. The current application does not include any changes to the zoning standards and is based on the densities allowed under the current code. The footprint of the buildings has been substantially reduced and the building is now located completely outside the mapped flood plain.

Staff recommends approval of the request for Conditional Use Permit and preliminary site plan review subject to the following conditions:

1. Complete any and all redline corrections.
2. Prior to final approval, submit a final landscape plan meeting the requirements of Chapter 16 of the Bountiful City Zoning Ordinance. As required by Code, the plan shall be revised to show a minimum 10 foot width landscape buffer surrounding the perimeter of the site.

3. Submit a lighting plan showing compliance with Section 14-15-107 of the Zoning Ordinance.
4. Complete any modifications required by conditions of the Planning Commission for preliminary approval.
5. Prior to final approval, obtain proper permits from the Utah Department of Transportation for the Access proposed onto 400 North. A copy of permits shall be filed with the City.
6. Prior to any work within Barton Creek, obtain permits from Davis County Flood Control and the State of Utah.
7. Meet all requirements of the Fire Marshall as contained in the attached review letter.
8. Within 6 months of the Planning Commission recommendation, submit to the City Council for final approval.

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

Barb Benson resided at 640 N 325 W. Ms. Benson discussed the concern of the possible egress onto 325 West. She stated that the neighbors like the look of the proposed changes in this project.

Fred Jones resides at 577 N 200 West and is representing the neighbors in the area of the cul-de-sac. Mr. Jones discussed the traffic that arises with multiple school activities on nights, morning and mid-day traffic for the school. The neighbors would like to work with the project owners and city officials to mitigate this risk and traffic concerns. The neighbors appreciate that the project owners have downscaled this project. Mr. Jones discussed the possible options for the traffic flow in and out of the project.

Martha Kerr resides at 420 W 400 N. Ms. Keer discussed the concern for the landscaping between the proposed project and her property. Chairman Smith noted that there are no details noted as yet.

Bruce Parkin resides at 296 W 600 N. Mr. Parkin asked about the construction dates.

Duane Mills resides at 317 W 600 N. Mr. Mills is concerned for the access to and from 325 West.

UDOT will be widening 400 N and 500 W and will construct a dedicated right turn lane for North bound and East bound. The construction should start March/April and should be finished in June. The UDOT project should not impact the proposed project. UDOT has not finalized the entrance to 400 North.

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

Richard Higginson expressed concern for backup of 325 onto 400 N and the possibility of an extra entrance to use as a cut thru for traffic. Russell Mahan discussed that crossing private property to avoid traffic backups is not legal.

Von Hill discussed the possibility of a crash gate or Emergency access with the fire department for key access.

Paul Rowland discussed the projected traffic peak times:

Saturday visitors is 43 trips between all accesses
The morning peak is 18 trips between all accesses
The PM peak is 22 trips between all accesses.

Chairman Smith asked Mr. Beelek about the option for a driveway through the J & L Garden Center. Mr. Beelek mentioned that there is not an opportunity for a driveway at this time.

Chad Wilkinson discussed the parking requirements for this property specific for assisted living facilities.

Richard Higginson asked for clarification on code discussed by Fred Jones. Staff discussed the design standards required by Bountiful City.

Sean Monson asked for a possible rolling gate or other options available for traffic control. The preference would be to not have a gate. Chairman Smith discussed the other traffic control options available.

Staff discussed comments received by Dave Powers, Fire Marshall with South Davis Metro Fire.

Iva Lou Jones 577 N 200 W discussed the possibility of 2 egress driveways out onto 400 N and the concerns for the children walking to and from school.

Ella Jean Burningham resides at 303 W 600 N. She would like the Planning Commission members to come and visit the area to see the traffic problems.

Josh Adamson resides at 350 W 400 N. He is concerned for the foot traffic with the children coming into the creek area.

Mike Willey resides at 332 W 400 N. He would like to see a card reader access with a fire access from the interior office.

Mr. Mahan wanted to verify the fencing requirements between a R-4 and RM-13.

Richard Higginson thanked the project developer and the neighborhood for their reasonability with the project.

Richard Higginson made a motion to grant the Conditional Use Permit as outlined by staff with the addition of condition #9:

9. Access to the property on 325 West Street shall have a gate controlling traffic. Specific design and location of the gate shall be reviewed and approved by the Fire Marshall and City Engineer.

In addition, the Commission requested clarification on Condition #5. Utah Department of Transportation must grant final approval for access to the project on 400 North Street as proposed in the submitted site plan. Condition #5 must be fulfilled prior to the effectiveness of the Conditional Use Permit.

Von Hill seconded the motion. Voting was 6-0 in approval.

Richard Higginson made a motion to recommend to City Council the preliminary site plan approval with the same conditions outlined by staff. Von Hill seconded the motion. Voting was 6-0 in approval.

4. Consider approval of Findings of Facts for denial of a variance to required side yard setbacks in order to construct a detached accessory structure a 52 E 1200 South, Kelly Howard, applicant.

Chad Wilkinson presented the Findings of Facts.

Sean Monson made a motion to approve the Findings of Facts. Richard Higginson seconded the motion. Voting was 4-0 to approve. Dave Badham and Sharon Spratley abstained.

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

1. Next Planning Commission meeting to be held on March 3.
2. Upcoming agenda items.

Chairman Smith ascertained there were no other items to discuss. The meeting was adjourned at 7:48 pm.



Chad Wilkinson, City Planner