

Bountiful City
Planning Commission Minutes
May 5, 2015
6:30 P.M.

Present: Chairman – Tom Smith; Planning Commission Members – Mike Allen, Dave Badham, 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

1. Welcome and Introductions.

Chairman Tom Smith opened the meeting at 6:30 pm and welcomed all those present. Welcome to Troop 0581.

2. Approval of the minutes for April 21, 2015.

Von Hill made a motion to approve the minutes for April 21 2015 as written. Dave Badham seconded the motion.

Voting passed 5-0 in favor with Commission Members Badham, Higginson, Hill, Monson and Smith voting Aye.

Mike Allen and Sharon Spratley arrived.

3. PUBLIC HEARING - Consider approval for a variance to the fence height and setback standards of the zoning ordinance in order to construct a solid screening wall around an existing power substation located at 252 West 1800 South, Bountiful City Power Department, applicant.

Allen Johnson, Alan Farnes, Luke Viegel, representing the Bountiful City Power Department were present. Chad Wilkinson presented the staff report.

The applicant, Bountiful City, through its Power Department, has requested a variance to the fence/wall height standards of the zoning ordinance in order to construct a solid screening wall around an existing power substation. The proposed wall will be 10 feet in height and will be of concrete post and panel construction.

Bountiful City Light and Power is proposing to complete a rebuild of the existing substation at 252 W. 1800 South. The proposed improvements include the replacement of the existing chain link security fencing with a 10-foot high post and panel concrete wall. The purpose of the wall is to provide security to the site as well as providing a visual screen to the adjacent properties. The fencing standards of the zoning ordinance limit fences and walls to a maximum height of 6 feet. The proposed variance would be for an additional 4 feet of height.

Staff recommends approval of the variance to the fence height and setback standards of the zoning ordinance in order to construct a solid screening wall around an existing power substation located at 252 West 1800 South, Bountiful City Power Department, applicant.

Mr. Mahan discussed the protection of the public utilities. This included terrorism of power plants, safety, and liability insurance for the public utilities.

Chairman Smith opened the Public Hearing at 6:37 p.m.

Jan McClellan resides at 261 W 1700 S, asked the Power Department to confirm the proposed height and distance of fence that is bordering her property. Commission Members asked the Power Department to work with Ms. McClellan to let her choose the color of the fence facing her property.

Mr. Viegel verified that the proposed fence will be 10 feet in height and the fence will go completely around the Power Department property. The retaining wall will be removed and the proposed fence will be placed on top of the foundation of the retaining wall.

Chairman Smith closed the Public Hearing at 6:39 p.m.

Mr. Viegel discussed the national standard for fence height for the public. Barbed wire is required for fencing that is less than 6 ft. The proposed project will mimic Rocky Mountain Power's standard height and design. Closed Circuit TV (CCTV) cameras will be added to poles for added security.

The Power Department clarified that the building construction for the wall is precast concrete walls and the color was chosen to match the existing Power building. The gate will be decorative iron and will be greater in height than 8 ft.

Allen Johnson, Director of Power clarified that the 10 ft fence will change the insurance. There is a great concern for the protection and security for the neighborhood children not getting into the substations and the minimization of stolen supplies. The height will give the neighbors more fence to see but less equipment in their clear view.

The walls will be built first in September 2015 and then the substation will be added and will be on line by April 2016.

Von Hill made a motion to approve. Richard Higginson seconded the motion.

Voting passed 7-0 in favor with Commission Members Allen, Badham, Higginson, Hill, Monson, Smith and Spratley voting Aye.

4. PUBLIC HEARING - Consider approval for a variance to the fence height and setback standards and the lot coverage standards of the zoning ordinance in order to construct a solid screening wall around the expanded use at 198 South 200 West, Bountiful City Power Department, applicant.

Allen Johnson, Alan Farnes, Luke Farnes representing the Bountiful City Power Department were present. Chad Wilkinson presented the staff report.

The applicant, Bountiful City, through its Power Department, has requested a variance to the fence/wall height and setback standards and lot coverage standards of the zoning ordinance in conjunction with a conditional use permit for expansion of existing public utility facility onto property zoned R-4 (Single Family Residential). Public Utility Facilities are allowed in the R-4 zone subject to conditional use permit approval.

Bountiful City Light and Power is proposing to expand the existing facility at 198 S. 200 West to include property zoned R-4 at the south west portion of the site. The applicant indicates that the proposed site improvements will provide additional yard equipment storage that will include asphalt paving, curb and gutter, storm water control, landscaping and pre-cast concrete security screen walls. The proposed screen walls would be 8 feet in height and would be of decorative concrete post and panel construction. The fence would be placed approximately 10 feet from the property line on 300 South. The current standards for the zoning district require a 20 foot setback along a street side property line and allow for a maximum 6-foot high fence/wall. The proposal also includes pavement of approximately 78 percent of the parcel which exceeds the 70 percent coverage allowed for public and institutional buildings in the R-4 zone.

Staff recommends approval of the requested variance, based on analysis of the required review criteria from State law included in the findings above and the materials submitted by the applicant.

Alan Farnes commented that materials at this location have been stolen and that the fencing will help alleviate this problem.

Chairman Smith opened the Public Hearing at 6:56 p.m.

Gail Allen Pyper resides at 288 W 325 S. Ms. Pyper asked if the chain link fence will remain?

Mr. Farnes stated that the chain link would be removed and the new concrete post and panel fence would be installed. Construction would start in July 2015 and is expected to be complete with an office remodel in November 2015.

Sheryl Brog resides at 330 W 250 S. Ms. Brog is concerned about the property line and weed control on the west side of the Power Department property.

Bonnie Barlow resides at 301 W 250 S. Ms. Barlow is concerned about the 2-3 feet of property that abuts the Power Department property.

The Power Department stated that they will work with Ms. Barlow in the removal of her fence.

Chairman Smith closed the Public Hearing at 7:00 p.m.

Richard Higginson made a motion to approve a variance to the fence height and setback standards and the lot coverage standards of the zoning ordinance in order to construct a solid screening wall around the expanded use at 198 South 200 West, Bountiful City Power Department, applicant. Von Hill seconded the motion.

Voting was 7-0 in favor with Commission Members Allen, Badham, Higginson, Hill, Monson, Smith and Spratley voting Aye.

5. PUBLIC HEARING – Consider approval for a Conditional Use Permit to expand the existing utility facility located at 198 S 200 West onto property zoned R-4 located at approximately 300 W 300 South, Bountiful City Power Department, applicant.

Allen Johnson, Alan Farnes, Luke Farnes representing the Bountiful City Power Department were present. Chad Wilkinson presented the staff report.

Mr. Wilkinson discussed the requirement for landscaping in accordance with code.

Staff recommends approval of the requested conditional use permit subject to the following condition:

1. Landscaping along property boundaries shall be consistent with the landscape standards contained in Section 14-16-109.

Chairman Smith opened the Public Hearing at 7:03 p.m. and closed at 7:04 without comments.

Mr. Higginson asked if the Power Department would need to get another CUP at a later date if the facility changed/added a structure on this lot. Mr. Mahan stated that this is a Public Facility use and wouldn't need an additional CUP but would possibly require a site plan in the future.

Mike Allen made a motion to approve a Conditional Use Permit to expand the existing utility facility located at 198 S 200 West onto property zoned R-4 located at approximately 300 W 300 South with the one condition outlined by staff. Sean Monson seconded the motion.

Voting was 7-0 in favor with Commission Members Allen, Badham, Higginson, Hill, Monson, Smith and Spratley voting Aye.

6. Consider a plat amendment for Steele Subdivision Phase 1 and final subdivision plat approval for Steele Subdivision Phase 2 located at 810 E 500 S, Matt Vance, applicant.

Matt Vance was present. Paul Rowland presented the staff report.

On April 23, 2013, the City Council granted preliminary approval of Steele Subdivision Phases 1 and 2, along with final approval for Steele Subdivision Phase 1. Mr. Matt Vance is now requesting final subdivision approval for the second phase of the Steele Subdivision, located at about 800 E 500 South, along with a modification to Lot 1 of Steele Subdivision Phase 1.

The proposed subdivision consists of dividing the remainder portion of the original Steele Subdivision into two lots, both fronting onto 500 South Street. Lot 2, which will retain the existing house, is proposed to have a frontage of 70 ft. and contain 39,686 sq. ft. while the new lot will have a frontage of 72 ft and contain 8,064 sq. ft., both meeting the requirements of the R-4 zone. The third lot in the subdivision is actually an amendment of the existing Lot 101 of Phase 1. The proposed amendment, Lot 101 which contained 13,067 sq. ft., becomes lot 203 with 16,774 sq. ft. Both proposed lots meet the minimum size and frontage requirements of the zone.

All of the necessary utilities for the new lot are available either on the property, or in 500 South Street however new utility laterals may need to be cut into 500 South Street. Culinary water is served by Bountiful Water and sewer by South Davis Sewer. Because there is no storm drain system in 500 South, the property will be allowed to continue to drain as it has in the past, but the developer will be required to pay the normal Storm Water Impact Fee.

All of the surface improvements already exist, however some of the curb and gutter and sidewalk in front of property will need to be replaced as part of the construction of the new home. The drive

approach into the existing home will need to be moved and the concrete in the park strip must be removed and replaced with landscaping.

Because this new subdivision includes a lot from the original Phase 1, that amendment will require a public hearing be held at City Council.

The staff recommends that the Planning Commission make a recommendation for final approval of the Steele Subdivision Phase 2 with an Amendment to Lot 101 of Steele Subdivision Phase 1 to the City Council with the following conditions outlined by staff:

1. The existing lot 101 be amended by vote of the City Council after the required Public Hearing.
2. Make necessary red line corrections.
3. Provide a signed mylar ready for recording.
4. Payment of all required fees.
5. Provide a current Title Report.
6. The existing walk and curb and gutter along the proposed lots be replaced as necessary with the construction of a new home on the lot 201, and the concrete be removed from the park strip at the same time.

Sharon Spratley made a motion to recommend final approval of the Steele Subdivision Phase 2 with an Amendment to Lot 101 of Steele Subdivision Phase 1 to the City Council with the six conditions outlined by staff. Richard Higginson seconded the motion.

Voting was 6-0-1 with Commission Members Allen, Badham, Higginson, Monson, Smith and Spratley voting Aye and Von Hill abstaining.

7. Consider a preliminary and final subdivision plat approval for, Noker Estates, 73 West 900 North, Alvin Noker, applicant.

Alvin Noker was present. Paul Rowland presented the staff report.

Mr. Brady Boyington is proposing to subdivide a parcel in the R-4 Zone owned by this grandfather, Alvin Noker, which consists of Lot 18 (73 W. 900 North) of the Chapel Subdivision Plat A and an adjacent vacant parcel laying between Chapel Subdivision and East Chapel Subdivision. The proposed subdivision consists of two properties, both fronting onto 900 North Street, one with an existing home and one that is currently vacant. The lot which will retain the existing house is proposed to have a frontage of 76 ft. and contain 9,943 sq. ft while the new lot will have a frontage of 70 ft and contain 8,386 sq. ft., both meeting the requirements of the R-4 zone.

All of the necessary utilities for the new lot are available either on the property, or in 900 North Street, however new utility laterals will need to be cut into 900 North Street. Culinary water is served by Bountiful Water and sewer by South Davis Sewer. Because there is no storm drain system in 900 North, the property will be allowed to continue to drain as it has in the past, but the developer will be required to pay the normal Storm Water Impact Fee.

Since the two lots front onto an existing street, all of the surface improvements already exist, however the curb and gutter and sidewalk in front of the vacant parcel will need to be replaced as part of the construction of the new home. In addition, the approach at 73 W. 900 N. will need to be replaced and a walk installed.

The proposed subdivision includes a lot which is currently a part of an existing subdivision, Lot 18 will need to be vacated out of Chapel Subdivision Plat A before it can be included into the new Noker Subdivision. This will be handled by ordinance after a public hearing is held at City Council.

The staff recommends that the Planning Commission make a recommendation for preliminary and final approval of the Noker Subdivision to the City Council with the following conditions:

1. The existing lot 18 be vacated from the Chapel Subdivision Plat A Subdivision by vote and ordinance of the City Council after the required Public Hearing.
2. Payment of all required fees.
3. Make necessary red line corrections.
4. Provide a current Title Report.
5. The existing walk and curb and gutter along the proposed new lot must be replaced with the construction of a new home on that lot, and the drive approach on the existing lot must be replaced and new walk installed at the same time.

Staff discussed the frontage requirements for the R-4 zone.

Dave Badham made a motion to recommend approval to City Council for preliminary and final subdivision plat approval for Noker Estates, 73 West 900 North with the five conditions outlined by staff and the addition of a 6th condition:

6. Provide the necessary overhead power line easements.

Von Hill seconded the motion.

Voting was 7-0 in favor with Commission Members Allen, Badham, Higginson, Hill, Monson and Spratley voting Aye.

8. Consider a final site plan approval for a 131 unit Assisted Living/Memory Care facility located at approximately 430 West 400 North, Craig Smith, applicant.

Craig Smith and Bob Beelik were present. Chad Wilkinson presented the staff report.

Craig Smith is requesting final site plan approval for 131 unit assisted living and memory care facility on an approximately 4.97 acre parcel. Conditional Use and preliminary site plan approval was received on February 17, 2015. The project was originally known as Stonebridge and the name has now been changed to Creekside Senior Living.

The final site plan submitted substantially conforms to the preliminary plan approved by the planning commission. The proposed building is three stories with exterior materials consisting of brick and stone veneer combined with cementitious siding and EIFS materials. The applicant has submitted evidence of an access permit from the Utah Department of Transportation for access on 400 North. However, there are a number of items that will need to be addressed prior to the plan being submitted to the City Council for approval. Evidence of an easement for connection to the proposed sewer in the property owned by the Davis County School District must be submitted. The submitted plan shows a number of individual easements for various utilities which should be combined into one overall public utility easement. The location and operation of the fire access gate will need to be reviewed and approved by the Fire Marshall. The applicant must also obtain approval from the Fire

Marshall for parking spaces located at the end of the fire turn around. The submitted landscape plan will need to be revised to show compliance with Section 14-16-109 related to required numbers of trees and shrubs.

Staff recommends that planning commission forward a recommendation of approval for the final site plan for Creekside Assisted Living project subject to the following conditions:

The following shall be completed prior to City Council review:

1. Complete any and all redline corrections.
2. Obtain an easement from the Davis County School District for connection to public sewer on the property to the north. Submit evidence of the easement to the City Engineer
3. Complete any modifications required by conditions of the Planning Commission for final approval.
4. Obtain approval of the access gate location and operation from the Fire Marshall.
5. Obtain permits from Davis County Flood Control and the State of Utah.
6. Combine easements shown on site into a single public utility easement.
7. Revise the landscape plan to show compliance with Section 14-16-109 related to required numbers of trees and shrubs.

Staff discussed that the gate access approval be completed by the South Davis Fire Department and possible sewer line options instead of crossing the creek.

The Commission thanked the applicants for working with the neighbors to hear their concerns.

Alvin Noker resides at 73 W 900 N asked the applicant for the start time. Applicant stated that work will begin in the Fall 2015.

Richard Higginson made a motion to recommend approval to the City Council for final site plan for a 131 unit Assisted Living/Memory Care facility located at 430 West 400 North with the seven conditions outlined by staff. Sean Monson seconded the motion.

Voting was 7-0 in favor with Commission Members Allen, Badham, Higginson, Hill, Monson, Smith and Spratley voting Aye.

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

Sharm Smoot, owner and Eric Jones representing Sessions Settlement were present. Chad Wilkinson presented staff report.

The applicant, Sharm Smoot, is requesting site plan approval for a 19 unit multifamily development located within the RM-19 zoning district. This review includes the properties shown as Phase 1. Approval of Phase 2 and 3 will require separate review and approval.

The proposed development would consolidate three existing parcels into one approximately 1 acre parcel. The development would remove three existing single family dwellings and be replaced with a 19-unit multi-family building. The applicant proposes a large open space area on the north side of the property that will serve a dual purpose as a storm drainage facility and a recreational amenity for

residents. Access is proposed from 200 South via a single drive approach. The proposed site plan includes adequate parking for the units proposed as well as one covered space per unit as required by Code. The proposed building is 3 stories with an overall height of 35 feet and meets the height and setback standards of the ordinance. The building materials consist of a mix of manufactured stone, stucco and EIFS materials. The proposal meets the landscaping and open space requirements of the ordinance. The site provides 40 percent landscaping as required by Code. Storm drainage is proposed to be collected in a detention basin located on the north portion of the development. The submitted plan does not include existing contours needed to determine how many feet the building must be raised to answer questions of elevations. Staff is recommending preliminary approval at this time, until the issue can be resolved.

Staff recommends approval of the request for preliminary site plan review at 156 and 166 W 200 South and 167 W 100 South subject to the following conditions:

1. Complete any and all redline corrections, including modifications required for grading on site.
2. Complete any modifications required by conditions of the Planning Commission for preliminary approval.
3. Within 6 months of the Planning Commission recommendation, submit to the City Council for final approval.

Mr. Rowland discussed the grading requirements and the detention basin.

Mr. Smoot discussed the appearance of the proposed project.

Mike Allen made a motion to recommend to the City Council preliminary site plan approval for a 19 unit Multi-family development with the three conditions outlined by staff. Sharon Spratley seconded the motion.

Voting was 7-0 in favor with Commission Members Allen, Badham, Higginson, Hill, Monson, Smith and Spratley voting Aye.

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

1. Next Planning Commission meeting to be held on May 19, 2015.
2. Next City Council meeting to be held on May 12, 2015.
3. Upcoming agenda items.

Chairman Smith ascertained there were no other items to discuss. The meeting was adjourned at 7:58 pm.



Chad Wilkinson, City Planner