

PLANNING COMMISSION MINUTES
OCTOBER 21, 1997

Present: Vice-Chairman Lois Williams, Dick Dresher, Mark Green, City Council Representative Sam Fowler, City Prosecutor J. C. Ynchausti, City Engineer Paul Rowland, Planning Director Blaine Gehring, Recording Secretary Connie Feil.

Absent: Chairman Dean Jolley, Dean Thurgood and Ken Cutler.

Lois Williams welcomed all those present and introduced the Planning Commission Members. Dick Dresher made a motion to approve the minutes for October 7, 1997 as written. Sam Fowler seconded the motion and voting was unanimous.

Conditional Use Permits

1. Consider granting a conditional use permit to allow a fitness and exercise center at 845 N. 400 E., Xcel Fitness, applicant.

Gary Seljaas, representing Xcel Fitness, was present. Mr. Seljaas explained that Xcel is seeking to establish a spa and fitness center at 845 N. 400 E. He is proposing to do a complete face lift with new stucco and some changes to the inside. The interior will have male/female locker rooms, aerobic room, weight room, juice bar, tanning salon and a day care.

Blaine Gehring explained that Xcel Fitness would like to open a new center in the Old Winegar's Store. This store has sat vacant for almost two years now. This use will put something back into that vacant store. The center will be open during the afternoon and evening hours. There is sufficient parking on the site for this use as well as the Mandarin Restaurant. The clientele using the facility will not be a teenage type of crowd but more adults interested in fitness. This will not be a use which will provide a negative use or atmosphere to the neighborhood and will eliminate the problems now associated with the vacant building (i.e., graffiti). Staff recommends granting the conditional use permit. No specific conditions are felt needed at this time.

The public hearing was opened for those with questions or concerns. Darryl Sanford asked if there will be an addition to the size of the building, the fencing around the building and will there be sufficient parking?

Mr. Seljaas explained that there will be no expansion of the building just some remodeling of the inside and a facade renovation. The fence has not been an issue but can be looked at. There will be 133 parking spaces for the facility which is more than adequate.

Lois Williams also asked if the parking will be adequate for the facility and not compete with the Mandarin Restaurant? Mr. Seljaas mentioned that he has been working with Greg Skedros, the owner of the Mandarin Restaurant, and there will not be a problem with the parking. The peak

hours for the Mandarin will be different than the fitness center.

Diane Taylor asked if there will be additional green space required? Mr. Gehring explained that, by ordinance, the City can't require any new landscaping on an existing building. This is a use going into an existing building.

There were no other concerns or questions and the public hearing was closed.

Mark Green asked about the hours of the facility and what is the minimum age for customers? The hours will be 5:00 A.M. to 11:00 P.M. Monday through Friday and 6:00 A.M. to 6:00 P.M. on Saturday. The peak hours for the facility will be in the mornings and after work except on Friday. Saturday morning and afternoon will be busy but not in the evening. There will be a minimum age limit of 16 years. Mr. Green asked if a site plan could be reviewed by the Planning Commission? Mr. Gehring mentioned that the City can't require a site plan unless there is a remodel of 50% or more of the value of the building. This facility will be doing a face lift and some changes to the inside. The Planning Commission can require to have a site plan as a condition for approval of the conditional use permit.

Dick Drescher would like to upgrade the landscaping on the park strip. The park strip now is asphalt and there are no street trees. Mr. Drescher feels that it should be required to replace the asphalt with grass and trees.

Mark Green made a motion to grant a conditional use permit to allow a fitness and exercise center at 845 N. 400 E. for Xcel Fitness with site plans to be resubmitted to the Planning Commission for approval with the following conditions:

1. Review of a site plan with the layout of the parking.
2. Landscaping in the park strip.
3. Fencing along the back of the facility.

Sam Fowler seconded the motion and voting was unanimous.

2. Granting a conditional use permit for the addition of 82 units to the Heritage Place Residential/Assisted Care Facility at 1150 S. Main, Gary Taylor, applicant (continued from September 16, 1997 meeting)

Gary Taylor, applicant, Kim Anderson, architect, and Greg Larson, designer, were present. Kim Anderson mentioned that there was a meeting with the City to discuss the concerns of the City and neighbors. The design has been changed to meet these concerns and they wish to have them approved.

Blaine Gehring explained that there were several concerns expressed by the neighbors and the Planning Commission regarding increased traffic and the truck traffic that will be coming down 1050 South. The Planning Commission were also concerned about the building and how close it

was to the street thus not allowing adequate green space up front. Staff met with Mr. Taylor and his architects along with Mark Green and Dick Drescher from the Planning Commission. All agreed that all traffic related to food deliveries for the kitchen and garbage pickup would have to come from Main Street and not off of 1050 South. In addition, the two west wings will be placed back further in order to provide better open space in the front. This will also allow for a 5-foot sidewalk. The Staff feels this is a good compromise with the design that had already been modified to two versus three stories adjacent to the single family resident uses.

The site plan which has been submitted shows the corrections but was not sufficient to meet even preliminary site plan requirements based on the City Engineer's review. Staff recommends granting approval of the conditional use permit for the expansion of Heritage Place with the following conditions:

1. All deliveries for the complex, including those for the kitchen, and all garbage pick-up be from the Main Street frontage of the complex.
2. Submission and approval of a site plan as per City ordinance and the City Engineer's comments.

Sam Fowler wanted to go on record that he is against the sidewalk. He feels that it will encourage more parking on the street.

Mark Green made a motion to grant the conditional use permit for the addition of 82 units to the Heritage Place Residential/Assisted Care Facility at 1150 S. Main subject to the recommendations by Staff. Sam Fowler seconded the motion and voting was unanimous.

Site Plans

1. Consider preliminary site plan approval for a 48-unit condominium complex at approximately 360 N. 500 W., Brian Knowlton, developer.

Brian Knowlton, developer, was present. Mr. Gehring explained that this property is directly north of the Bountiful Manor Apartments on 500 West. There will be one 24-unit building, and two 12-unit buildings, each with underground parking and some garages. The buildings will be three stories high.

There was a discussion on parking, landscaping and the surface of the building. With the underground parking and the garages there will be 78 of the 108 spaces required. There will be an additional 78 open space parking available bringing the total to 119 spaces which will be adequate. The landscaping needs to be upgraded and the exterior of the building needs to meet the ordinance.

Mr. Gehring mentioned that the site plan submitted still needs some work so the staff can only recommend preliminary approval at this time. Staff recommends the Planning Commission send a favorable recommendation to the City Council for preliminary site plan approval with the

following conditions:

1. While detention has been provided on site, all grading must provide drainage to 500 West and the detention area.
 - A. Provide drains and pumps at parking ramps.
 - B. Raise elevation along east property line and south property line to prevent draining onto neighbors.
 - C. Grade parking lots to prevent street water from entering site and parking lot water from entering underground parking.
 - D. Show final contours on the site plan.
 - E. Use caution in grading walks into buildings to prevent excessive grades.
 - F. All buildings require ADA entrance facilities.
2. Provide a blanket public utilities easement over all common ground for the installation and operation of all required utilities.
3. Show all required fencing or existing fences and/or building in lieu of new fencing.
4. Drive approaches onto 500 West must be Bountiful standard approaches.
5. Impact fees will be assessed for water and sewer based on current impact fee ordinances. No storm drain impact fee will be assessed because storm water detention is provided on site.
6. Provide draft of home owners association and covenants with a final site plan.

Sam Fowler made a motion to grant the preliminary site plan, to the City Council, for approval of 48 condominiums at 360 N. 500 W. subject to the conditions from staff and the addition of the following conditions:

7. Verify the landscaping requirements.
8. Exterior of the building to conform with the ordinance.

Dick Drescher seconded the motion and voting was unanimous.

Zoning Ordinance Amendments

1. Consider zone change request from C-G to R-1-6.5 at 3171 S. Main (Highway 89), Peggy Wendel, applicant.

Peggy Wendel, applicant, was present. Blaine Gehring explained that Peggy Wendel is the owner of a single family home at 3171 S. Main. The home is currently zoned General

Commercial (C-G). Ms. Wendel is in the process of refinancing her home and has come up against the problem of the banks and non-conforming uses we are all so familiar with. Upon my suggestion, she has applied for a zoning change to R-1-6.5 in order to bring the property into conformity.

The zone change seems like the best answer on the surface. It will make the use conforming and there will be no questions as to any future financing. The property is sandwiched between two commercial uses and fronts on the busy Highway 89 (Main Street). The best use of the property would be commercial. Rezoning it now would just make the need for another rezone inevitable.

Mr. Gehring has discussed this with the City Attorney and he suggested that this may be the time to consider a change in the commercial zones to allow existing residential uses to exist as legal uses but not allow new ones. This will amend the C-G, C-H and H Zones to allow as permitted uses all residential uses from single family to multiple family but with the notation that they are existing only. This will meet the needs of the applicant as well as the City. This will affect only the uses the City wants. This will not affect the uses the City does not want to continue such as duplexes and multiple family in single family areas.

Staff recommends amending the Zoning Ordinance, rather than change the zoning at 3171 S. Main, by amending Sections 14-8-102 (C-G Zone), 14-10-102 (C-H Zone) and 14-11-102 (H-Zone) by adding the following to the lists of permitted uses:

<u>Use No.</u>	<u>Use Classification</u>
1111	Single Family Dwelling - Detached (Existing units only)
1121	Two Family Dwelling (Duplex) (Existing units only)
1131	Multiple Family Dwelling (Existing units only)
1141	Apartments (low -rise) (Existing units only)

The Planning Commission needs to send a favorable recommendation to the City Council for this amendment.

Mark Green made a motion to recommend to the City Council amending the Zoning Ordinance as recommended by the Staff. Dick Drescher seconded the motion and voting was unanimous.

Meeting adjourned at 8:00 P.M.

