

**PLANNING COMMISSION MINUTES**  
**NOVEMBER 4, 1997**

Present: Vice-Chairman Lois Williams, Ken Cutler, Mark Green, Dick Dresher, City Council Representative Sam Fowler, City Attorney Rusty Mahan, City Engineer Paul Rowland, Planning Director Blaine Gehring, Recording Secretary Connie Feil.

Absent: Chairman Dean Jolley and Dean Thurgood.

Lois Williams welcomed all those present and introduced the Planning Commission Members. The minutes for October 21, 1997 were modified with the following:

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:

Mark Green made a motion to approve the minutes for October 21, 1997 as modified. Dick Dresher seconded the motion and voting was unanimous.

**Site Plans**

1. Consider preliminary and final site plan approval for Heritage Place Expansion at 1150 S. Main.

Greg Larsen, designer, and Kim Anderson, architect, were present. Blaine Gehring explained that the Planning Commission granted a conditional use permit for the addition of 82 units to the Heritage Place Retirement Home on October 21, 1997. The conditions of approval included review and approval of the required site plan. That has been submitted and reviewed by staff. All items for the required site plan have been submitted and Staff recommends a favorable recommendation be sent to the City Council for preliminary and final site plan approval with the following conditions:

1. Show grading at the existing sump in the southwest corner of property to handle water from the existing improvements, OR, pay storm impact fees based on the entire area of the existing plus new improvements. Storm drain fee without existing improvements would be \$2,100/acre X 1.43 acres=\$2,993.00. Storm drain fee with existing improvements would be \$2, 100/acre X 3.13 acres=\$6,569.00
2. Drainage swale must be provided along west property line to prevent impact on neighbors.

3. Drive approaches must meet Bountiful City standard approaches.
4. Provide location for power transformers or other facilities as required by Bountiful Light and Power.
5. Pay the following fees for culinary water.
 

a. 30 feet of 6' line @ \$20.00/ft	\$ 600.00	
Fire hydrant		1,628.00
6' tap into existing main		<u>1,438.00</u>
		\$3,666.00
- b. Water service lateral on Bountiful City standard fee for size of meter required to serve the facility.
- c. Fire sprinkler connection
 

4' tap into existing main	\$1,400.00
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 (The contractor is responsible for installing the line from the main to the building.)
6. Pay the following fees for sanitary sewer:
 

Based on \$1,556.00 per equivalent residential unit as determined by count of the final number of plumbing fixtures.
7. In addition to the patches of the individual road cuts for the utilities, the developer will be required to pay for a 1" overlay of 1050 South Street along the entire affected frontage:
 

200 ft. X 28 ft.=5,600 sq. ft of 1' overlay X \$0.35/sq. ft=\$1,960.00.

There was a discussion about the location of the dumpsters. It was decided to have Mike Barfuss, Fire Marshall, review the site plans for his approval of the placement of the dumpsters.

Dick Dresher made a motion to grant a preliminary and final site plan approval for Heritage Place Expansion at 1150 S. Main with the recommendations of Staff and the addition of the following:

8. Provide a landscape berm or screening along 1050 S. as per ordinance.

Mark Green asked for an amended motion to include modification of the item #2 to read as follows:

2. Drainage swale or adequate alternative protection from runoff be provided along the west property line to prevent impact on the neighbors.

Mr. Dresher amended his motion and Mr. Green seconded the motion and voting was unanimous.

2. Consider final site plan approval for North Point Condominiums at 360 N. 500 W.

Brian Knowlton, developer, was present. Blaine Gehring mentioned that this site plan was reviewed by the Planning Commission on October 21, 1997. The concerns last time were the new provisions in the ordinance dealing with 50% of the building to be brick or stone and 40% of the site be landscaped. Mr. Knowlton has 50% of the building in brick, however, the 40% landscaping is a problem. Paul Rowland calculated for the 40% landscaping and it would be impossible to get the allowable density with all required parking and meet the 40% required. Mr. Knowlton has increased the landscaping to 30% which was the previous base requirement. This increase with landscaping has decreased the parking spaces by 11 but is still over the required parking spaces by ordinance. Staff recommends that the site plan be given approval with the 30% landscaping and a recommendation to amend the ordinance to 30% landscaping be sent to the City Council. In addition, the following conditions are recommended:

1. Revise grading at the northeast corner of the property to prevent draining onto the neighbor to the north.
2. Drive approaches must meet Bountiful standard drive approach and sidewalk not drain from the street back into the project.
3. Provide a blanket public utilities easement over all common areas.
4. Pay sewer impact fee based on city standard impact fee of \$1,538.00 per equivalent residential unit.
5. Pay for installation of fire line:

660' of 6" line @\$20.00/ft.	\$13,200.00	
1-6" hydrant		1,628.00
2-6" tap into main line	2,876.00	
		\$17,704.00
6. Pay water impact fees:

Supply impact @ \$5,200 per 2" meter	\$20,800.00	
Storage impact @ \$2,152 per 2" meter		8,608.00
Install lateral and meter base @ \$750 per meter	3,000.00	
		\$32,408.00

There was a lengthy discussion on meeting the 40% landscaping requirement, two accesses and the density of this project. There were some questions on why the amendment to the ordinance

from 40% to 30% on landscaping? Mr. Rowland recalculated the size of the property and conformed that the density and 40% landscaping could be met with the reduction in size of the units. The alternative is that either the Planning Commission has to give the 30% landscaping or Mr. Knowlton has to reduce the density or size of the units. It was suggested not to allow 30% landscaping and cut down on the number of units to meet the 40% landscaping required.

Dick Drescher made a motion to table this project until a decision is made on the amendment to the ordinance from the City Council. After a discussion with Rusty Mahan, Dick Drescher amended his motion to table this project until a decision is made by the City Council. The motion also includes recommending to the City Council not to change the landscaping ordinance. Mark Green seconded the motion and voting was unanimous.

3. Consider preliminary and final site plan approval for Building #5 of Carriage Crossing Condominiums, TDA Properties, developer.

Bruce Taylor, representing TDA Properties, was present. Rusty Mahan mentioned that there was a temporary restraining order from the court on this project. There has been an agreement made between TDA Properties and Carriage Crossing but Mr. Mahan has not seen this agreement. There are some issues that have been resolved and some that have not. Mr. Mahan and Mr. Gehring have talked to Keith Call, Attorney for Carriage Crossing, and have agreed to present this item to the Planning Commission but not to the City Council until Mr. Mahan has the agreement between the two parties involved. It is suggested to add a condition to the recommendations to include this agreement.

Mr. Gehring explained that the site plan submitted complies with the stipulation agreement made between Carriage Crossing and TDA Properties. Staff recommends a favorable recommendation to the City Council for preliminary and final site plan approval with the following conditions:

1. Show finished grades around building and new parking lot to provide proper drainage.
2. Provide 1½" meter with 2" service into the building as required.
3. Provide a blanket public utilities easement over all common ground.
4. Pay sanitary sewer standard impact fee based on \$1,538.00 per unit.
5. Pay culinary water impact fee:

Water supply impact @\$2,600.00 per 1½" meter	\$2,600.00
Water storage impact @\$1,076.00 per 1½" meter	1,076.00
Installation of lateral and meter	<u>750.00</u>
	\$ 4,426.00

The Staff recommends adding the following conditions:

6. All legal issues between Carriage Crossing Home Owners Association and TDA Properties are to be resolved and approved by the City Attorney and the City Council.
7. Provide written approval from Davis County Flood Control.

Mark Green made a motion for preliminary and final site plan approval for Building #5 of Carriage Crossing subject to the conditions 1-5 as outlined from Staff with the addition of item #6 and #7.

Ken Cutler seconded the motion and voting was unanimous.

4. Consider approval to build beyond 200 feet from a public street at 3627 S. 100 W, P.C. Cantil, owner.

Mr. and Mrs. P.C. Cantil, owner, were present. Blaine Gehring explained that this is a parcel of property left over when the Sterling Heights Subdivision was created. The actual parcel covers a large piece of property extending down into the Davis County Flood Control detention basin area near Davis Boulevard. This was approved as a single building lot in September 1993 with 8 conditions. The house will be accessible off 100 West at 3600 South and will sit approximately 270 feet from the road. Staff recommends the Planning Commission send a favorable recommendation to the City Council to build beyond 200 feet from the public street with the following conditions:

1. The original conditions attached to the lot approval from September 1993.
2. Licensed bonded contractors must be used to do the concrete work along the street frontage. Normal curb and gutter bond will be waived.
3. All cut and fill slopes, including all existing slopes and fills, must be properly retained or sloped at 2 to 1 maximum slope.
4. Provide a fire hydrant on site as approved by the Bountiful City Fire Marshall.
5. Provide a fire sprinkling system in the house as approved by the Bountiful City Fire Marshall.
6. The driveway must be posted with a sign which is a minimum of 12 inches by 18 inches in 2½ inch block lettering with ½ inch stroke on a contrasting background reading “No Parking-Fire Department Access Road.”

7. Owner must work with South Davis Water to provide:
  - A. 6 inch water line and hydrant
  - B. Fire sprinkler line for fire sprinkler system inside the house
  - C. 1 inch culinary meter and service.
8. Owner must work with South Davis Sewer and pay impact fees as required.
9. This approval shall carry the restriction that no further lot splits will be granted for this property and that no other will be granted for additional dwellings on this property.

Mrs. Cantil was understanding that a sprinkling system could be waived if given a variance. Mr. and Mrs. Cantil feel that if they are required to have a fire hydrant they don't need the sprinkling system in the home. It was explained that the ordinance requires a sprinkling system if the home is beyond 200 feet from the road and a variance has never been given.

Dick Drescher made a motion to recommend to the City Council for approval to build beyond 200 feet from a public street at 3627 S. 100 W. subject to the recommendations from Staff. Ken Cutler seconded the motion and voting was unanimous.

### **Zoning Ordinance Amendments**

1. Consider rezoning the Continental Townhouse Condominiums at 1310 S. 200 W. from R-3-13 to R-3-25.

Claude Mills, President of Home owners Association for Continental Townhouse Condominiums, was present. Blaine Gehring explained that the current ordinance for this area is R-3-13. There are problems with financing on these units as they are being sold. And to add to the problem is the fact that these are condominiums. The owners own only their units not the ground that they stand on. The land is owned in common. If the building cannot be rebuilt under a nonconforming status, these people stand to lose everything. Staff recommends changing the zoning on the Continental Townhouse Condominiums from R-3-13 to R-3-25 to match the existing density and make it a conforming use.

Sam Fowler made a motion to recommend to the City Council to rezone the Continental Townhouse Condominiums at 1310 S. 200 W. Dick Drescher seconded the motion and voting was unanimous.

2. Consider amending landscaping requirements in the R-3 and C-R Zones.

This item was discussed and voted on previously in the meeting. Dick Drescher made a motion to the City Council not to change the landscaping ordinance. Mark Green seconded the motion

and voting was unanimous.

Meeting adjourned at 8:25 P.M.