

**Planning Commission Minutes**  
**January 16, 1996**

Present: Chairman Elaine McKay, Vice Chairman Dick Dresher, Don Milligan, Dean Jolley, Mike Holmes; Sam Fowler, City Council Representative; Rusty Mahan, City Attorney; Jack Balling, City Engineer; Blaine Gehring, Planning Director; Connie Feil, Recording Secretary.

Absent: Lois Williams, Ken Cutler, and Mark Green.

Elaine McKay welcomed all those who were present. The minutes for January 2, 1996 were modified with the addition of the following to page 1:

Dick Dresher and Mike Holmes asked to be excused from this issue due to a possible conflict of interest.

Don Milligan made a motion to approve the minutes as modified. Dick Dresher seconded the motion and voting was unanimous.

**Site Plans**

1. Consider preliminary and final site plan approval for Boston Chicken Market at the northwest corner of 200 West and 500 South.

Kevin Gary, representing Archicon for Boston Chicken, was present. Blaine Gehring explained that Boston Chicken is proposing to demolish the B.C. Chicken building and construct a new building west of the existing building. The building will be finished in red, white and black and will face 500 South. Boston Chicken will be buying the property for this business. Staff recommends the approval for preliminary and final site approval with the following conditions and deleting item #3:

1. Payment for a new 1½ inch water connection at a cost of \$3,850.00.
2. Protecting the existing sewer lateral during demolition and to use the lateral for the new building.
3. Provide required 10 feet of landscaping behind sidewalk next to the parking lot on 200 West and 500 South.
3. Providing a 7ft. wide utility easement along 200 West and at other locations as required by utility companies for service to this property.
4. Waiver of the storm detention fee. (Storm detention is provided on site.)
5. Approval by U.D.O.T. for access on 500 South and 200 West. Both streets are State Highways.

6. Approval by Davis County Board of Health of all plans and food handling permits.
7. Final submission and approval of building plans for compliance with Uniform Building Code.

Landscaping will have shrubs, grass, flowers, trees etc. around the building. All storm drainage will go out onto 500 South. This facility will be a sit down fast food restaurant with seating for 52 customers. There will be two extra parking spaces that are not required in the ordinance.

Mike Holmes made a motion to recommend to the City Council the approval for the preliminary and final site plan approval for Boston Chicken Market at 200 West and 500 South subject to the recommendations from Staff items 1-8 deleting #3. Dean Jolley seconded the motion and voting was unanimous.

2. Consider preliminary site plan approval for 19 multiple family units at 1549 S. Main Street, Brian Knowlton, developer.

Brian Knowlton, developer, was present. Blaine Gehring explained that he has been working with Mr. Balling on the Staff report. There are some concerns with Phase 2, the large turnaround and the parking. Mr. Gehring will be working with Mr. Knowlton to arrange a better plan to provide a better access to the parking and garages. With this many units there is a concern with cars backing into this area. The parking spaces are so far away from the units there is another concern of parking in the turnaround. Mr. Gehring has asked to consider preliminary approval of only Phase 1 using the following from the Staff report.

1. Complete the site plan to show the following existing and proposed utilities.
  - a. Show the existing sewer lines. Show the proposed sewer mains, laterals connections, cleanouts and locations.
  - b. Show the existing water lines. Show the proposed water lines, water connections, meters, sites, and locations.
3. Show the parking tabulations on the plan (required and proposed).
4. Show the type of perimeter fencing proposed on the project.
8. Provide a utility easement along the access road as shown. Provide a 7 foot wide easement along 200 West Street.
9. Payment of all required utility fees as required by the City at the final approval.

There was a discussion about approving Phase 1. Will there be enough acreage in Phase 1 for the number of units being built? One of the conditions before a building permit for Phase 1 is to be issued there will be a preliminary design approved for Phase 2 so there will be enough acreage to meet the requirements. Phase 1 can't stand alone subject to Phase 2 being built. These units can't

be subdivided or sold and in Phase 1 there will be no back yards. Mr. Gehring made a proposal that this be tabled until next meeting. Meanwhile, Mr. Knowlton can work with the Staff to make some adjustments on Phase 2 to meet the requirements. At the next Planning Commission Meeting this can be presented for preliminary and final approval for phase 1 & 2. Elaine McKay made a motion to table this issue until next meeting, February 6, 1996, motion was unanimous.

### **Zoning Ordinance Amendments**

1. Continue discussion and consideration of a new Commercial Residential (C-R) Zone in the old downtown area of Bountiful.

Blaine Gehring asked if everyone had a copy of the proposed zone (C-R) with the modification that includes the addition of the elderly? Mr. Gehring mentioned that the property north of the Bountiful Tabernacle is owned by the Barlow Family and they wish to build a residential living facility for the elderly. Ron Barlow, Robert and Jeffrey Burrows, representing the Barlow Family, were present.

Robert Burrows explained that the Barlow's would like to build an assisted living resident for the frail elderly. Some residents will be independent and some will need assistance in different areas. It has been considered to have a home health care service that would be operated out of the facility. This facility will be a 2½ story building with underground parking. The front of the building will face Center Street and the access will be on 100 East. Under the current zoning using the Incentive Density Bonus, they are proposing to have 46 units. If the zoning changes to C-R this will restrict the number of units to be less than 20 units. If this happens it would not be economical to build this type of facility. Changes will be made to build apartments or condos on the property.

Mr. Gehring recognizes that this is a facility needed in Bountiful. It would be a nice addition to the downtown area and it would fit into the mixed C-R zone. If the zoning remains R-3-16, it will allow only 16 units per acre. This is the first that Mr. Gehring has heard of trying for 46 units. Under Mr. Gehring's proposal he is not sure that he could accept this number of units. This type of facility is not like a nursing home there will be a single person, a couple or two family members living in each unit. These are elderly people that can provide for themselves. They can do their own housekeeping and prepare their own meals. There will be some that need some assistance getting dressed, doing light housekeeping and fixing an occasional meal. These are not nursing homes or rest homes. These are private apartments with kitchens and the people live on their own with occasional assistance. Mr. Gehring explained that this proposal is what prompted him to make the addition to the current proposal.

Elaine McKay had another appointment so she excused herself and asked Dick Drescher to continue in her place.

A discussion was made about the number of units that could be allowed with the density bonus? Mr. Gehring mentioned that this is proposed as a conditional use permit and would be reviewed by the Planning Commission. This proposal is to create a new zone in the downtown area. If the Planning Commission feels that a higher density should be required for this area it can be part of the

conditions. It was also agreed that this type of facility is needed and can be an asset to Bountiful.

Ron Barlow, Robert Burrows and Jeffery Burrows were excused from the meeting. There was some further discussion on the uses in the proposed C-R zone. It was asked to put hotels and motels back under conditional uses and to take out storage units, pawn brokers, bail bonds and some other uses that Dick Drescher had a list of and gave to Mr. Gehring.

Mr. Gehring would like to meet with the City Attorney and discuss equal treatment under the zone. Will there be some problems if we grant a special density for 20 units per acre under this provision, verses staying with 16 units for the rest of the zone? Mr. Gehring suggested that he would write up the following:

1. Find a category number for the elderly and put it in the conditional uses to refer to section 117 for special allowances.
2. Meet with the City Attorney on the following:
  - a. Legally is there a set age for this type of facility for the elderly?
  - b. Define a different density for an elderly facility verses the density for the zone R-3-16.
3. Getting any changes from the Planning Commission Members and incorporate the changes into a final proposal for approval at the next Planning Commission Meeting on February 6, 1996.

It was decided to have Mr. Gehring prepare the additional three items and make the changes to the proposed zone change. Approval for the zone change has been tabled until February 6, 1996.

Meeting adjourned at 8:25 P.M.