

Planning Commission Minutes
November 19, 1996

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

Absent: Ken Cutler.

Elaine McKay welcomed all those present. Dick Drescher made a motion to approve the minutes for November 5, 1996 with the rewording in the following paragraph of Section 6-2-118 of the Bountiful City Code and Chapter 14 of the Zoning Ordinance:

No provisions of this Section shall be construed to allow the continuance of any nonconforming tree, shrub, plant or plant growth, fence, wall, or other screening material ~~which~~ or obstruction which substantially interferes with the safety of pedestrians or traffic or is detrimental to the health, safety and welfare of the general public.

Lois Williams seconded the motion and voting was unanimous.

Conditional Use Permits

1. Consider granting a conditional use permit and preliminary and final site plan approval for an assisted care senior living center on the northwest corner of Center Street and 100 East, Western State Lodging, applicant.

Richard Miles, representing Western States Lodging and development, was present. Blaine Gehring explained that Mr. Miles represents Western States Lodging and Development and has been working with the City for over a year to locate an assisted care facility for seniors here in Bountiful. His company is purchasing the Barlow properties on the north side of Center Street between Main Street and 100 East. It is their desire to construct and operate such a facility at that location in the C-R Zone.

“Assisted living facility” is a relatively new term to the Utah State Code and to our land use terminology. As defined in Section 26-21-2 of the Utah State Code an assisted living facility “means a residential facility with a homelike setting that provides an array of coordinated supportive personal and health care services, available 24 hours per day, to residents who have been assessed under division rule to need any of these services.” (Division meaning the Division of Health) These services include the following:

1. Help with preparing individual meals.

2. Help with a full care nurse for medication.
3. Help with personal hygiene.
4. Help with cleaning of their apartments.
5. Provide a large van for shopping or doctor appointments.

This is different than what we originally discussed as a “retirement facility” under the newly created Commercial Residential Mixed Use Zone. This is a “convalescent or rest home service” as described under SLC Code 6516 which is a conditional use in the C-R Zone.

The proposed facility will have 60 rooms with a breakdown as follows:

4-2 bedroom units

16-studio units

40-1 bedroom units

It is required to have one parking space for every five persons the home is licensed or designed to care for, plus one additional space for each car used by the operators in conducting the home, plus one space for every two employees working on the highest employment shift.” They are providing 17 spaces which meets this criteria.

The facility is a nice addition to this area. It will act as a buffer between the Main Street business and single family and lower density housing to the east. The location on the corner of 100 Est and Center Street does not pose a problem for traffic. Any excess traffic which might be created on visiting days and holidays can be handled with available on street parking near the site.

The landscaping plan and building elevations and sections have been submitted. There are no perimeter trees on two sections of the property. Both of these areas need to be left open for fire protection because it is a two story structure. There will be a solid barrier fence along the

Staff is recommending the Planning Commission grant the conditional use permit for the assisted care facility and send a recommendation to the City Council for final site plan approval with the following conditions:

1. Provide a 7 ft. wide easement along Center Street and 100 East Street.
2. Provide easements as needed by Power Dept.

3. Remove and replace sidewalk curb and gutter along Center Street and as needed on 100 East Street.
4. Pay storm detention fee of \$2,100.00 per acre for entire site.
5. Change storm drain outlet line into box culvert as shown.
6. Provide fire hydrants and fire protection as required by City Fire Chief.
7. Provide final drawing with all calculations as required for building permit.
8. Pay all required fees.

Richard Miles of Western States Lodging and Development introduced Paul Fairhome, executive director, to explain the type of service assisted living provides. Mr. Fairhome explained that assisted living is a new concept with health care for seniors. It is a result of hospitals shortening hospital stay which puts pressure on nursing homes, special care units and home health care providers. Assisted living provides health care needs between residential care and nursing homes. These facilities are built to fit in with the residential neighborhoods. This facility has been designed to provide three levels of care. The first is for basic services, three meals a day, weekly house keeping 24 hour security, 24 hour emergency service, things that do not take a lot of nursing time. The second level is designed to provide assistance for two or three activities of living, help in dressing and undressing. The third level will provide for four or five activities of living, help getting to and from dining room, help with their meals, help with medication, help getting dressed or help with their bathing. The average stay in this type of facility is three to five years.

Elaine McKay opened for a Public Hearing for those who have any comments. Haven Burningham asked how many units will this facility have and will there be enough parking for the residents? There will be three categories, studio, one bedroom units and two bedroom units. The kitchens in all units are not full size kitchens because three meals per day will be provided. They will consist of a small refrigerator, sink and microwave. All bathrooms are handi-cap accessible. There will be 17 parking spaces on the property for the residents, visitors and employees. There will be only one or two of the residents that will have their own vehicles. The parking, by the national average, is adequate for this facility. There is additional parking along 100 East also on Center Street.

Nelson Barlow has some concerns about the access in case of a fire, removing two large oak trees, removing two 100 year old homes, and when will this project begin? On the west side there is a 10 foot side yard for fire access and there is access all around the property for the residents and the use of ladders. The facility will have a full fire sprinkling system on all floors. There will be a stand pipe located in front of

the property where a fire truck can hook their hose to this pipe and pressure the water into the facility. These trees have buckled the sidewalk and need to be removed. As much of the existing landscaping that can be saved will remain then filled in with new landscaping. The project should begin in the late spring of 1997 and should be completed in about eight months. Mr. Barlow mentioned that one of these homes is a historical home built with rocks. He suggested that maybe the City or someone could use this rock, because of the historical value, for a good purpose.

Robert Sward would like to have a concrete block wall rather than just a fence. Mr. Miles explained that concrete block does not create a residential feeling that they like to have. Using concrete block seems to create a problem with graffiti. It has been their experience that a solid fence will be left alone but concrete block will be sprayed. A solid vinyl fence will be used for this facility.

Ethel Black has some concerns with parking and the increased traffic and noise from visitors, employees and delivery trucks on 100 East. With facilities of this type the traffic and noise does not create a problem. There will be three different shifts for employees and these changes are not done in the middle of the night. All deliveries will be done during the day. This facility will not create any more noise or traffic problems than the surrounding homes in this area.

Lucy Hardy has some concerns about the garbage. She does not want the noise from a large dumpster and feels that a dumpster should not be allowed. She prefers to have the same size of garbage can as the residents use. There will be a dumpster but it will be in the rear of the building and in an enclosed area so it will not be seen.

Marilyn Nelson is mad and upset about having another nursing home in her neighborhood. She gets infuriated about having two homes torn down to build a two-story nursing home in the downtown area and across from the Bountiful Tabernacle.

Dave Black feels that it is a shame that the citizens of Bountiful don't have any respect for the two historical homes that will be destroyed. Mr. Black feels that it is a sad day when Bountiful will allow something like this facility be built in a unique neighborhood as this.

The Public Hearing was closed for the Planning Commission Members for their comments and concerns. Mike Holmes asked what zoning is used for this facility, Residential or Commercial and what are the parking requirements for this zone? This is in a C-R zone and this facility is a Commercial use under the convalescent, rest home conditional use section. For this type of use the parking would be one space for every five people that this facility will be licensed for. It is required one space for each operator and one for every two employees. Mr. Holmes feels that more parking is still needed.

Dick Drescher mentioned that this is a residential nature with the same guidelines, other than nursing homes, as a multiple family unit. Mr. Drescher suggested that since this is a Conditional

Use that some stipulations be added along the residential guidelines. Mr. Dresher also has some concerns about the parking. He feels that some of the parking does not meet the ordinance and should not be allowed. With the three parallel parking spaces behind the building how does the delivery trucks get out? There isn't a place for delivery trucks or garbage pick-up to turn around so they will have to back out which this is not allowed. Those seven or eight parking spaces in the back are not allowed. The CR Zone is a little unclear because this has not been brought up before. This is a Residential type of use but in a Commercial/Residential Zone. The parking stipulations in the CR Zone states that there is no parking in the front yard. The ordinance states you can't park in the front yard yet there will be two spaces in the front yard. If you eliminate the parking in the front and in the back you have only 8 spaces which is not enough. There should also be extra parking for employee shift changes which this plan does not provide for.

Richard Miles mentioned that the parking requirements for this type of facility will meet the requirements of HUD. Mr. Miles believes that this facility is within the limits for parking. Dick Dresher pointed out that the Planning Commission has to meet the City Ordinances not the ordinance from HUD.

Blaine Gehring said he has had some questions with the two parallel parking spaces all the other parking spaces do meet the ordinance. The two parallel spaces in front are allowed with multiple family units within ten feet.

Mark Green asked what the distance will be for side yards and back yards? On the north side (back of the building) there is ten feet, ten feet on the west side, 30 feet on the east side and twenty feet on the south side (front of the building). Mr. Gehring mentioned that the setbacks are in compliance with the ordinance. Mr. Green has some concerns with the parking. He feels that this facility needs more parking for their employees and visitors. On Sunday afternoons when visitors can't find a parking space, because of the Tabernacle across the street, they will have to walk a block or more for visits. Parking is essential for this facility and Mr. Green feels that what is now being provided will not be adequate. Mr. Green is in favor of this type of facility, but is concerned with the facility and needs further review. Mr. Green asked what does the density profuse to be? There can be 51 units per acre and this property is just over an acre. The proposal is for 60 units.

Dick Dresher has some concerns about the size of the building. He feels that this is a residential facility. In the residential section of the C-R Zone it is allowed to have forty percent of the lot with a building. This is a large building using and using forty-five or forty six percent of the lot is building. This seems that there is more building than is needed. Mr. Dresher feels that this is a good use and in a good area. He feels that this is crowding too much onto this one acre of ground.

Blaine Gehring has looked at this facility as a commercial not a residential facility. He feels that this falls under the same category as a nursing home or rest home.

Rusty Mahan made a suggestion that there has been enough concerns on some issues that it be continued to another date. Let the Staff review these issues and present it at the next meeting.

Lois Williams asked Mr. Miles if it would be possible to do 45 units rather than 60 units? Mr. Miles mentioned that with this type of service if it is too small the economics of it will not be feasible.

Mark Green made a motion to continue this item for a future meeting with the request to the Staff to study the issues that have been in question. Mike Holmes has some concerns with the elevations. He feels that this is in an area where the Tabernacle is a historical landmark and this building is too modern for this area. Mike Holmes seconded the motion and voting was unanimous.

Meeting adjourned at 8:20 P.M.

Elaine McKay expressed the Staff's and Commission Members sympathy for the death of Reed Booth. Mr. Booth was the Planning Zoning Director for Bountiful City for almost 30 years. To Mr. Booth his job was more than a job to him. Mr. Booth was concerned about Bountiful and was a true public servant. He loved Bountiful and the people living here.