

**PLANNING COMMISSION MINUTES**  
**July 6, 1993**

Present: Chairman Dick Dresher, Mark Green, Don Milligan, Mick Johnson, Kathi Izatt, Mike Holmes; Jack Balling, City Engineer; Blaine Gehring, Planning and Redevelopment Director; Shirley Chevalier, Recording Secretary

Absent: Elaine McKay, Jeff Chretien; Barbara Holt, City Council Representative

The minutes of June 15, 1993 were unanimously approved as written.

**Conditional Use Permits**

**7-6-93.3 93-7C Colonial Pointe Apartments, 2727 S. 625 W., BK Enterprises, Developers**

Mr. Gehring stated there are 4 plus acres which would allow for the 102 units originally proposed, based on the density of 25.7 units per acre allowed in this area. However, staff's review shows parking and

recreation space is short. Ordinance requires 400 sq. ft. of recreation space per unit or 40,800 sq. ft. This plan shows 8,220 sq. ft. Parking requirements are two spaces per each 2 bedroom unit, and 2-1/2 spaces per each 3 bedroom unit for a total of 213 spaces. This plan shows 188 spaces. Ordinance requires 10% of the site to be landscaped. This development shows 27.4%, but a landscape plan has not been submitted.

The site plan shows an entrance off 625 West that would come through the complex and tie into 2800 South. The units are two and three bedroom in 2-1/2 stories, one-half story in the ground with 2 stories above.

The site plan is deficient as presented, and if the conditional use permit is granted, one of the conditions must be that they meet all the requirements of the ordinance for review.

Staff recommends approval subject to the site plan compliance with city ordinances as follows:

1. The parking and drive areas need to show typical curb and gutter and sidewalk around the perimeter;
2. Typical dumpster enclosure should be defined;
3. Utility easements defined for utility mains;
4. Landscape plan has not been submitted;
5. The drainage and detention plan and calculations have not been submitted including the storm drain to 2600 South.

Bob Jones of BK Enterprises conducted a traffic count two days, both morning and evening at peak hours and submitted his report to the Planning Department, but staff feels it does not reflect the true impact on 2600 South and 625 West. If desired, the Planning Commission could require a study be made by a Traffic Engineer.

Todd Cannon, one of the designers on the project, asked what was considered as recreation space. The ordinance is not definitive on this, but it needs to be common area shared by all the tenants, and not side yards, back yards, etc. They plan on having a playground, swimming pool, club house, and volleyball court. They will work with Mr. Gehring in determining recreation space.

Those who spoke during the public hearing were concerned with one thing, traffic; especially 625 West and attempting a left turn from this street. They are very worried about children going to school and using this street and 2800 South which will also be impacted with traffic from this development, and 3100 South. There was not one person present who spoke out against the apartments going in, just the extra traffic that will be generated and how to handle it. Alan Noall, 3088 South 600 West, did his own traffic study and presented his findings to the Commission.

Mr. Gehring pointed out that this property is zoned for commercial and multi-family use, so that no matter how it is developed, it will increase the traffic.

Kathi Izatt did not like the fact that there was no complete site plan prepared. Due to the great concern of traffic, which is a safety issue that according to 13-202 of the ordinance needs to be addressed, and given the fact this is such a highly debated issue, we might want to wait until we have more definition, and an indication that the developer is going to do some additional work on access whether it be through the Ken Garff property or another place on the periphery.

Mr. Gehring suggested the Planning Commission could give a conceptual approval without the site plan subject to all the conditions of the site plan being met prior to the conditional use permit approval. If those conditions are not met, the conditional use permit is not granted. The developer is asking for some kind of feeling one way or the other before spending a lot of money developing the final site plan and doing the necessary studies regarding the traffic.

Mike Holmes said he is uncomfortable with the traffic impact on 625 West with this development, and its effect on the surrounding neighbors. He would like to see some definitive engineering that would convince him the traffic would be minimal. He feels the traffic

on this small street will be significant in the mornings.

City Engineer Jack Balling said there will be an impact on the streets but they are capable of handling the volume of traffic that will be generated from this apartment complex.

Mark Green said his concerns are that the people on 2800 South will be living on the driveway to the apartments, and the children will walk to school that way. He does not think people will use 625 West that much. He would rather see money spent, not on traffic studies, but to do some engineering and improve 2800 South.

Kathi Izatt made a motion to table the Conditional Use Permit until we see the site plan. Motion died for lack of a second.

Don Milligan made a motion to approve the conditional use permit subject to the five recommendations of staff with the understanding that there will be relief on the street traffic, and a crosswalk for children; the recreation space and parking spaces to be increased per ordinance requirements. Mick Johnson seconded the motion.

There was further discussion before the motion came to a vote, regarding the increased traffic's impact on small streets, the safety concerns, and how to handle the problem.

Mark Green asked Mr. Milligan if he could amend the motion to add an item that says improving vehicular and pedestrian access to the site, including possible alternative access ways, shall be included in the site plan review. He wants to see something that shows what is going to be done to minimize the impact and improve the pedestrian safety, whether to find an alternate access, or improve 2800 South, and see if there is something that can be done with 625 West. Don Milligan amended his motion to approve the conditional use subject to the five conditions of staff and during the site plan review process, three additional items be included: (1) additional recreation space be provided; (2) required parking spaces be increased as required for the number of units; and (3), the site plan review to include the vehicular and pedestrian access and the impact and safety of the project on the neighborhood, and any alternate accesses in and out of the site. Mick Johnson seconded the motion as amended; Kathi Izatt opposed; majority voted to approve.

## **Site Plans**

### **7-6-93.5 West Bountiful City Water Tank, 567-593 East 400 North, Preliminary Approval**

Mr. Gehring presented the site plan which shows a major problem. The tank is to be buried with a 2 to 1 slope of cover material. As the slope goes down to Stone Creek, the base of the slope will be 4 ft. from the edge of the creek. Country ordinance requires a 20 ft. strip for maintenance of Stone Creek. The tank needs to be moved.

No one was present to represent the project, so Mr. Gehring suggested this item be tabled and sent back to West Bountiful with the conditions as outlined below:

- 1.1. The reservoir should be relocated northeast of the proposed site to allow a 20 ft. right-of-way along the creek channel on relatively flat ground for access and maintenance of the creek;
2. The finished contours show the top of the reservoir to be 9 ft. above the natural ground in the east and 27 ft. above the natural ground on the west. We would recommend the structure be moved to the east to more nearly meet the existing ground elevations;
3. A much better site would be achieved by locating the reservoir on the LDS church property and exchange of land to move the ballfield to the west of the reservoir. This would also give close easy access from an existing paved street on the east side of the property.

Kathi Izatt made a motion to table, send it back to West Bountiful with the conditions recommended by staff; seconded by Mick Johnson; voting was unanimous.

## **Subdivision**

### **7-6-93.6 One building lot at 473 West Pages Lane, Joel Hancock, Owner. Preliminary and final approval**

This property is located between Gold Subdivision (400 West Street) and I-15 Freeway on Pages Lane. It is land left over the freeway construction and sold by UDOT. The adjacent property owner, Joel Hancock, is seeking approval of this property as a building lot for a single family residence. Staff has reviewed this and recommends approval subject to the following conditions:

1. Submittal of a certified survey plot plan showing items 1 through 7 of the plot plan ordinance for compliance with the building code;
2. Showing the existing storm drainage through the lot from the south and providing an easement for the drainage water;
3. Providing 7 ft. utility easement along the front and east side of the property;
4. Payment of a storm retention fee of \$811.00;
5. Posting a bond for repair of all sidewalk and curb and gutter;
6. Payment of all utility connection fees;

7. Completion of plans and payment of all required building fees;

8. Payment of a #30.00 subdivision fee.

Mr. Hancock did not understand why he must pay the \$811.00 storm retention fee. Mr. Balling explained that it is a county-wide ordinance and everyone must do it. There is an option where storm detention can be provided on site which involves a percolation test on the soil, and installing a manhole to collect the water and release it at a rate of 2. Cu ft. per second per acre. Mr. Balling further explained that the land is being changed from a piece of raw ground to one with impervious surface on it which changes the amount of runoff water. The \$811.00 is the cost to tie into the storm sewer that will take all the water away from the property. Mr. Hancock also disputed the subdivision fee, claiming he was part of Gold Subdivision. However, the legal description is misleading and this lot is not in the original subdivision, and therefore is subject to the fees.

Mark Green made a motion to recommend preliminary and final approval to the lot at 473 West Pages Lane, with the conditions outlined by staff; Kathi Izatt seconded the motion; voting was unanimous.

Meeting adjourned at 8:45 PM