

**PLANNING COMMISSION MINUTES
AUGUST 18, 1992**

Present: Chairman Jeff Chretien, Elaine McKay, Mark Green, Mike Holmes, Kathi Izatt, Don Milligan, Dick Dresher; Barbara Holt, City Council Representative; Blaine Gehring, Planning and Redevelopment Director; Jack Balling, City Engineer; Shirley Chevalier, Recording Secretary

Absent: Mick Johnson; Jon Reed Boothe, Planning Director

Chairman Chretien called the meeting to order at 7:00 PM.

Minutes of August 4, 1992 were unanimously approved as amended:

An amendment by staff, last paragraph, page 2, delete the first sentence and replace with "Mike Holmes said he would like to make one of two motions. He would move to table it if the developers would like to take another shot at it, or he will move to deny it if they don't want to take another shot at it." Also delete the last sentence.

Elaine McKay asked if it was no longer possible to be excused from the meetings if you are out-of-town. Elaine called the Planning Department to say that she had to be out-of-town August 4th and would not be able to attend the meeting, and asked to be excused. In the past, the minutes reflected those commissioners who called ahead to say they had a conflict and could not be present, as excused. Recently staff was approached by someone in administration who felt those not present were absent and should be so designated in the minutes. Chairman Chretien said it was his understanding that being recognized as excused was proper. Staff feels this is something the Planning Commission should decide since they set their own policies and procedures. Jeff said perhaps we should ask members of administration to join the Planning Commission under a miscellaneous item to discuss this. Mr. Gehring said we have some study sessions coming up on the new zoning ordinance and this could be included.

Dick Dresher mentioned that in the approval of the minutes of July 21 st, it stated voting was unanimous as written. However, on item 7-21-92.10A, commercial application for preliminary and final site plan approval for professional office, which is Mr. Dresher's personal project, he abstained from voting. The August 4, 1992 approval of minutes have been amended to show that Mr. Dresher abstained from voting.

Conditional Use:

8-18-92.5A Barton Woods PUD, 1400 East 1000 South, Final, Preston Paxman and Lynda Hobson

Mike Holmes abstained from the discussion and voting.

Mark Green said he wished to disclose that Ms. Hobson has asked him to bid on this project. He has refused to meet with the developers until after this had gone completely through the Planning Commission. He has not yet submitted a bid. If anyone is uncomfortable with his participating in the discussion or voting, he would be happy to abstain. A lady in the audience raised a question about a financial interest and the legal implication, but she said she felt comfortable knowing his situation and personally has no problem with it. No one voiced any objections to Mr. Green's participation in this item.

This PUD was given preliminary approval June 10, 1992. Staff has made a final review of the plans; the landscape plan has been submitted and approved by the City Planner. The engineering drawings have been submitted and are approved subject to minor changes:

- A. The cul-de-sacs must have a minimum diameter of 70 ft.; 3 cul-de-sacs are shown as 60 ft.;
- B. The street section must be 3 inches of asphalt on a 6 inch base;
- C. The sewer and irrigation water lines need to be relocated on one section of Fremont Road to avoid conflict with the water lines;
- D. Show water design as supplied by the city;
- E. A disclaimer put on all the plats indicating there will be no construction on lots over 30%;
- F. Show storm drainage between lots 101 and 102.

The common area maintenance agreement has been submitted to Mr. Gehring. He has reviewed it and said it is a standard maintenance agreement that seems to cover all the concerns the Planning Commission and City Council had when they requested this be submitted.

Staff recommends final approval subject to the following:

1. Posting of a bond and payment of fees for the entire site to guarantee that the site work will be done in one phase and completed before September 1, 1993.
2. There will be single family homes on Lakeview Drive rather than twin homes.;
3. Structures behind the existing homes on Lakeview Drive will be of a rambler design, single level with basement;
4. The area which backs on to Eggett Estates, 1550 East, will be single family homes;
5. There will be no RV parking or storage areas in the development;
6. Each unit must have a minimum side yard of 8 ft.;
7. All building plans must comply with the building codes as adopted by Bountiful City including live load and wind load designs;
8. The PUD must comply with the Foothill Zone;
9. Owners to provide the city with an up-to-date title report.

Mr. Balling read a letter from the Barton Woods Concerned Citizens group with the following concerns:

1. ***Has a geologic and soils stability test been done?*** Mr Bailing said we don't see this as a necessary item that should be done since there have been no problems,
2. *(This item was not addressed since it was of a personal nature).*

3 Why were the sidewalks easily dismissed from the project wNhout any discussion or input on this motion? Mrs. Holt said the night this motion was made at City Council, Ms. Hobson had felt that she had made a number of significant concessions to the homeowners, and requested she not be required to put in sidewalks. The Council thought this was a reasonable request in lieu of everything else that was being put together and worked out. Mrs. Holt said she felt very comfortable with it, and the Council passed it unanimously.

4 Will the landscaping assure adjoining homes a buffer zone for privacy, and will all natural vegetation be protected during building and excavation? They are going to try and preserve as much of the natural vegetation as possible. The landscape plan shows the typical landscaping around each one of the homes, and a// the existing oak around the back of the homes is to remain. On the back of the homes that front on Lakeview Drive, there is a buffer strip where lots 55 through 60 have encroached on the Barton Woods project. They have used 30-40 ft. of property and fenced it in some cases. The plat shows it has been shifted to the north away from the actual property line allowing them to continue to use it. It is a good buffer strip along Lakeview Drive. They intend to preserve a// the existing oak on the other section that backs on to Eggett Estates Subdivision. There are lots that have no oak, and nothing is provided for landscaping in those areas except around the homes.

Mr. Paxton said there has not been a concession that they will not go back and reclaim the ground. That depends on how the engineer lays out the plans. If the ground is needed, they will reclaim it. Mr. Balling said the plan as presented does not utilize that ground. if the plat is changed, we have to start over.

5 What are the fencing plans between the PUD and the present home owners? There has not been a fencing plan presented. There was some concern expressed by the property owners that they would prefer to see the oak brush /eft there rather than take it out and put up a fence. As a result there was never anything in the preliminary plan either from City Council or Planning Commission indicating they wanted a fence around the perimeter of the property.

6 What are the required back yard boundaries between the PUD units and existing homes? The minimum rear yard is 20 ft., but most of them will have substantially more. They cannot build beyond 20 ft. on the rear setback of the house.

7 Will the PUD units on Lakeview Drive be required to have R-I setbacks as required for existing residences? This is a Planned Unit Development, and there is no front yard setback because they are facing onto a private road. One of the conditions could be that they have no setbacks less than 20 ft. On Lakeview Drive they will be 30 ft. There is a provision in the ordinance that allows when you have a 10 ft. drop at a point 50 ft. back from the front property line, you can receive a reduced setback up to 15 ft. The city discourages that because with the length of cars, they overhang into the street. Mr. Balling recommended to the Planning Commission that if they approve this, they stipulate they must have at least a 20 ft. setback from the back of the curb to any building.

8 What precautions *711 be taken to insure that there will not be flooding due to excavations not finished before fall and winter storms? All developments are required to put in temporary detention basins. At the bottom of each one of the roads there will be a detention basin constructed temporarily to catch all of the water.

Subject to the conditions outlined by staff, and the recommendation of a 20 ft. setback, and addressing any of the items expressed by the Concerned Citizens, staff recommends that final approval be granted to Barton Woods PUD.

Chairman Chretien asked if there were any driveways fronting on Lakeview Drive. Mr. Balling replied there will be ten single family lots, with the possibility of as many as 10 or as few as 6 driveways on Lakeview Drive. They have an option on the corner lots.

There are no sidewalks in this development, but there are pathways around and through the common area. None of the PUDs have sidewalks. Barton Woods' streets are 30 ft. back to back of curb, the other PUDs are 24 ft. wide. The past few years the city has required PUDs have the same width as public streets, mainly for ingress and egress of emergency vehicles. This would also allow an extra 6 ft. for walking. Sidewalks are 4 ft. wide and the park strip is 6 ft. wide. This project could only have sidewalks on curb and this is not safe. Councilman Harold Shafter said the Concerned Citizens did not want to lose anymore vegetation than necessary. City Council felt that would be one way to maintain more vegetation for the pristine atmosphere they wished to maintain, so that is the reason it was taken out.

Mr. Gehring stated this was on the Council agenda tomorrow night if they want to discuss this with the City Council again. The Planning Commission could make the recommendation that sidewalks be reinstated, but it would be the City Council that would decide.

Regarding fences, Ms. Hobson stated that all but one of the lots that encroach on this ground is fenced, and it has a considerable amount of oak behind it. She doesn't want to take out oak to put up a fence. The only other place the property borders is Eggett Estates and there are three lots that don't have oak on the back. She said she would put a fence where necessary but not where it is not.

Dick Dresher proposed that a disclaimer be placed on those lots whose structures could be no higher than one story single family homes. Staff felt this was a good idea and Mr. Balling said he would talk to the City Attorney to see how to word it.

Barbara Holt made a motion to recommend final approval to City Council with conditions as outlined by staff, items 1 through 9, adding #10: the building setback be 20 ft. on the private streets and 30 ft. on the public streets; including A through F, recommended changes in the engineering drawings, adding Item G: A disclaimer be put on the appropriate lots for single story homes; Kathl Izatt seconded the motion asking if she could add two conditions, #11: to require sidewalk on one side of the street; and #12: developers to put in a landscape buffer on the three lots of the adjacent property owners of Eggett Estates Subdivision. Mrs. Holt accepted the amendments to her motion.

Ms. Hobson said it is cost prohibitive to put a buffer of 10, 15, or 20 ft. tall trees along there, when there is an option in the PUD ordinance to put in a fence. She does not think they should be required to put in a landscape buffer if a fence would work better. She feels they should have the option.

Mr. Gehring said those three adjoining property owners would probably like a say in this, and he feels a motion should be made for the developers to work with those three property owners to come to the best solution and share the cost of whatever they want to do, rather than require something specific in a recommendation.

After this discussion the motion was as stated above except # 12 was amended that the developers should work with adjacent property owners of Eggett Estates Subdivision to come to an agreement on the

landscaping; Kathi's second stands.

Barbara Holt said she wanted to vote to approve this project, but did not make the sidewalk issue part of her motion. She will not vote for the sidewalks because she feels they are unnecessary in this development. The wider streets solved the safety issue. If the sidewalks were put in, they would be without the park strip, and they would fragment the property.

Voting approval on the motion was Don Milligan, Kathi Izatt, Dick Drescher, Elaine McKay, Mark Green; Barbara Holt and Jeff Chretien voted nay; Mike Holmes abstained. Majority vote approved.

Rezoning Petitions:

8-18-92.9A 92-2Z Amending Zoning Ordinance, 13 Units Per Acre to 25 Units Per Acre, Vicor Construction, Marv Blosch, Developer

Mr. Gehring explained the zoning amendment process. This petition is not just for the property considered for development, but for all of what is known as Neighborhood 2 District 1, which is bordered on the south by Pages Lane, on the north by the Centerville City boundary line which is the back lot lines of Pitford Acres Subdivision, on the west by 200 West, and on the east by the Centerville boundary lines which is the Bamberger right-of-way. The ordinance allows for 4-plexes up to 13.3 units per acre. The petition is asking for a maximum of 25.7 units per acre on 10.88 acres of land.

The plans are for 192 units, which is approximately 18-19 units per acre. Staff has recommends this not be approved on the basis that there are single family homes on the north, a new subdivision developing to the northeast, and another new subdivision across the Bamberger right-of-way to the east.

The Centerville City Mayor and Planning Commission addressed a letter to the Bountiful City Planning Commission explaining why they oppose the proposed rezoning. Their Master Plan indicates that their area surrounding this property is planned for single family units.

Marv Blosch said there is a need for more apartments in Bountiful. He is targeting a density of 18 units per acre. Current zoning allows 13.3 units per acre, as multiple unit B; density C allows 15.8 units per acre; D allows 25.7 but he is not requesting this many units on his property.

Opposition from area residents concerned the density and its effect on traffic volume and safety, schools that are already at capacity, and how development of other property around this would be affected. A letter with 66 signatures in opposition was presented to the Planning Commission. A jump from single family dwellings to high density apartments is not desirable; storm water runoff, negative impact on neighboring single family property values, were some other concerns.

Priscilla Todd, Centerville Planning Commission Chair, said they have a limited amount of residential development; 400 West (200 West in Bountiful) is not prepared to handle additional heavy traffic, and the school system is overcrowded; all problems they do not have control over. They are running out of property where another school could be built. Areas such as Main Street, Frontage Road, & Parrish Lane improvements cannot be controlled since they are out of their jurisdiction, but they are the areas where the impact is the greatest, where the traffic flows are the heaviest, and where their problems are the most severe. This density would adversely affect all these issues. They have had a problem with the 13.3 units per acre that is allowed, in trying to integrate the two zonings together.

Kathi Izatt made a motion to recommend to City Council that this zoning petition be denied because this would be a burden on our utilities, roads, and schools; this proposal does not conform to the vision that is in the Comprehensive Plan, and it is incompatible with surrounding uses. Don Milligan seconded the motion; Mike Holmes abstained; majority voted in favor of denial.

Miscellaneous:

The Utah Chapter of the American Planning Association will hold their annual conference at Snowbird, Friday and Saturday, September 25th and 26th. Mr. Gehring said there is a discussion on Friday afternoon regarding PUDs which promises to be quite interesting. On Saturday there is a session specifically geared to the citizen planner (Planning Commission, City Council, etc.). A special consulting group is being brought in to present specific things on how to conduct hearings, looking at Master Plan issues, etc. There is money in the budget for all the commissioners to attend. There will be a mailing with information for registering.

Meeting adjourned at 9:30 PM.

