

PLANNING COMMISSION MINUTES  
OCTOBER 2, 1990

Present: Cheryl Okubo, Chairman, Berwyn Andrus, Mick Johnson, Jeff Chretien, Kathi Izatt, Elaine McKay; Les Foy, City Council Rep.; Jack Balling, City Engineer; Jon Reed Boothe, Planning Director

Excused: Dick Drescher, Mike Holmes Invocation: Jack Balling

Minutes of September 18, 1990 were unanimously approved as amended: Bottom of pg. 2, 3rd sentence up, change "back property line" to "western developed area".

Conditional Use:

10-2-90.5A 90-SC Alan Noall, Star Landscaping, Open Storage Only 2727 So. 625 W.

Mr. Noall lives at 3088 So. 625 W. which was annexed into the city a few years ago. It was discovered at that time that he was conducting a landscape business from his home. He was asked to cease operation of this business after a check with Davis County showed he had no approval. He wishes to relocate his business to 2727 So. 625 W. where open storage is a conditional use. A small equipment building will be erected to store lawnmowers, etc.

Staff recommends the Planning Commission grant the conditional use permit on the condition that Mr. Noall install a chainlink fence with slats around the perimeter of the property to screen from public view his storage material, and obtain a business license.

Les Foy made a motion to approve the conditional use permit, subject to the conditions recommended by staff; Jeff Chretien seconded; voting was unanimous.

10-2-90.5B Discussion re restaurant and auto repair at 157 So. 500 W., Steve Smoot, Sky Property (Not a public hearing. No conditional use will be approved.)

Mr. Boothe presented the site plan with the proposed location of the muffler shop, auto parts, and restaurant; all conditional uses.

Due to the time element to publish the legal notice and schedule the public hearing, Mr. Boothe mentioned the Planning Commission would have to hold a special meeting October 23rd to help this development get started. Tonight Mr. Smoot is requesting permission to demolish the existing buildings to allow grading, landscaping, asphalt, and underground utility work to begin.

Planning commission may approve the site plan since the basic project is a permitted use. The conditional use refers to the type of tenants proposed, and will be considered at the special public hearing and Planning Commission meeting October 23rd.

Mr. Balling has reviewed the site plan and recommends approval with the following Conditions:

1. The existing sewer line must be located, marked, and inspected;
2. Payment of the culinary water fee;
3. Site drainage plan, curbs and gutters are acceptable and the storm detention basin meets city requirements;
4. Building plans to comply with the Uniform Building Codes;
5. County health approval required for the restaurant before issuing a permit;
6. A 7 ft. wide easement is required along the front property line, and utility easements required by Power Dept.;
7. Solid fence installed along east property line abutting the residential zone;
8. Landscape bond to be posted in the amount of 5% of the building valuation, or \$5,000, whichever is greater; a detailed landscape and sprinkler plan also to be provided;
9. Power pole to be removed or relocated with approval from the Power Dept., at the owner's expense.

Berwyn Andrus made a motion for preliminary approval to the site plan improvements in advance of a public hearing, with conditions outlined by staff, with the addition of #8 and #9; motion was seconded by Jeff Chretien; voting was unanimous.

#### Commercial Applications:

10-2-90.10A Winegar's Warehouse Foods #5, 845 No. 400 E. Discussion regrading request for site improvement. Rock Winegar, Owner; Joseph Young, Architect; Dick Everett, Contractor

The Planning Commission is asked to consider site approval for regrading the parking lot east of the existing building. A retaining wall will be constructed along the south and east sides of the property, which would lower the parking lot between 4 ft. and 8 ft. along the east property line (400 East Street). A 4 ft. high open type steel rail fence would be constructed on top of the retaining wall. The existing east entry closest to 400 E. and 900 No. will remain.

There will be landscaping between the wall and the sidewalk, approximately 8 ft. wide. The city owns a well and a supply line along the south property line, and due to the regrading of the parking lot, this will have to be relocated at the expense of the property owner. They have decided to move the south retaining wall 16.5 ft. north to miss this line. Grass should be planted in this area. Staff has reviewed the plans and recommends approval subject to the following conditions:

1. The city has a well and supply line along the south property line. The developer must pay all costs for the relocation of the water line that is located within the city easement on their property. (This has been resolved.);
2. The dry well sump shown on the south of the property may be in conflict with the culinary water line and should be separated at least 20 ft. from the line to avoid conflict or contamination. (This has been relocated.);

3. All other utilities within the area that may be in conflict should be located and marked to avoid damage by this reconstruction (power, telephone, natural gas, etc.);

4. The entrance on 400 East should be constructed to provide adequate sight distance for the motorist entering or exiting the property. If the fence or wall causes a problem, they must be modified to provide safety for motorists and pedestrians.

By official action the Planning Commission recommended to City Council approval of this site plan with the above conditions.

Miscellaneous:

10-2-90.11A Discussion re height of single family homes; letter from Mr. Clark Richardson, 263 E. 1100 So.

Mr. and Mrs. Clark Richardson were present to discuss a letter they had sent to the city regarding building height for single family structures. They expressed concern regarding the tremendous height of the addition adjacent to and east of their home. They realize it is within code, but wanted to know if something could be done to prevent this problem from recurring. It was mentioned that the structure of the present zoning ordinance lends itself to this type of change on a zoning district to district basis.

After further discussion, Les Foy made a motion to authorize ion Reed Boothe to make a study and come up with a recommendation for an ordinance amendment for those areas west of Orchard Drive; Berwyn Andrus seconded; voting was unanimous.

10-2-90.11B Master Plan Socio-Cultural Report, Elaine McKay

This has been postponed to November 6, 1990.

10-2-90.11C Consider revised site plan for Bountiful 50th LDS Ward  
1580 East 75 So., Wayne Balle, Architect

This plan was given approval in June, 1990 and grading work proceeded according to the plan. There is now a revised grading plan showing a substantial change along the east property line.

The original plan called for a 40 ft. wide landscaped slope from the east property line to the parking lot, then a 16 ft. retaining wall along the east side of the parking lot. To avoid the unsightly appearance of the 16 ft. wall and the exposed public liability to the church, the new proposal is to install a 10 ft. retaining wall with a chainlink fence on top 5 ft. west of the east property line, then a 35 ft. landscaped slope to an 8 ft. retaining wall along the east parking lot.

This property is in the Foothill Zone and requires approved exceptions when the cuts exceed 10 ft.

It was felt the 8 ft. retaining wall, which drops to the parking lot, needed an additional fence or other barrier on top for added safety; this to be determined by the church.

Staff recommends approval of the revised site plan subject to the following recommendations:

1. Planning Commission approve the revised grading plan with the double retaining wall and allow exception to the Foothill Ordinance to construct the walls with cuts over 10 ft., as shown on the plan;
2. The contractor to stop work until he has obtained a building permit for the retaining walls which are under construction.

Les Foy made a motion to approve the revised site grading plan with the recommendations of staff, and that the church look at the safety hazard of the lower 8 ft. retaining wall; Kathi Izatt seconded the motion; voting was unanimous.

DATE: October 2, 1990  
TO: Planning Commission  
FROM: City Engineer  
SUBJECT: Review of Site Plan for Winegar's Supermarket

#### Description

This plan shows a proposal for reconstruction of the parking lot east of the existing building. A retaining wall would be constructed along the south and east side of the property, which would lower the parking lot between 4 feet and 8 feet along the east property line (400 East Street). This would then lower the steep grade across the parking lot. A four-foot-high open type steel rail fence would be constructed on top of the retaining wall. The existing east entry would remain.

#### Recommendation

I have reviewed the plans and recommend approval, subject to the following conditions:

1. The City has a well and a supply line along the south property line. The developer must pay all costs for the relocation of the water line that is located within the City easement on their property.
2. The dry well sump shown on the south of the property may be in conflict with the culinary water line and should be separated at least 20 feet from the line to avoid conflict or contamination.
3. All other utilities within the area which may be in conflict should be located and marked to avoid damage by this reconstruction (power, telephone, natural gas, etc.)-
4. The entrance on 400 East should be constructed so as to provide adequate sight distance for the motorist entering or exiting the property. If the fence or wall cause a problem, they must be modified to provide safety to the motorist and the pedestrians.

DATE: October 2, 1990  
TO: Planning Commission  
FROM: City Engineer  
SUBJECT: Review of Revised Site Grading Plan for  
50th Ward LD.S. Church (1580 East 75 South)

### Background

This plan was given approval in June and grading work proceeded according to the approved plan. Last week the architect submitted a revised grading plan, showing a substantial change along the east property line. The original plan called for a 40-foot- wide landscaped slope from the east property line to the parking lot, then a 16-foot retaining wall along the east side of the parking lot. To avoid the unsightly appearance of the 16-foot wall and the exposed public liability to the church, the new proposal is to install a 10-foot retaining wall with a chain link fence on top 5 feet west of the east property line, then a 35-foot landscaped slope to an 8-foot retaining wall along the east parking lot.

This property is in the Foothill Zone and requires approved exceptions when the cuts exceed 10 feet.

### Recommendation

That the Planning Commission approve the revised grading plan with the double retaining wall and allow exception to the Foothill Ordinance to construct the walls with cuts over 10 feet, as shown on the plan.

We would also recommend that the contractor not be allowed to proceed with his work until he has obtained a building permit for the retaining walls which are under construction.