

PLANNING COMMISSION MINUTES

August 7, 1990

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

Excused: Berwyn Andrus Invocation: Les Foy

Minutes of July 17, 1990 were unanimously approved as written. Home occupations:

8-7-90.4A Thomas Elggren, 947 Green Oaks Drive
Helping Hand Counseling Services

Mr. Elggren specializes in marriage and family counseling. He will have no more than 4 sessions per week, 2 nights per week. There is ample parking in his driveway, and most of the time there will be only one car. There is a separate entrance on the west side of the home leading to a room in the basement that will be used for the counseling.

There was a complaint registered by one of the neighbors who was in attendance at this meeting with his attorney. His family room window looks out upon this entrance, which is stressful for his wife who has some health problems.

After a long discussion, it was agreed by Mr. Elggren (to his neighbor's satisfaction) that he would construct a 6 ft. high solid fence on his west property line to screen the people arriving for counseling from the neighbor's view.

On a motion by Les Foy, seconded by Mike Holmes and unanimously approved, the Home Occupation license was approved with the following conditions:

1. Construct a 6' high privacy fence (solid wall) up to a point in line with the 20' fence front yard setback requirement.
2. Restrict the number of clients to four per week; one hour per client (one "client" may include several family members);
3. Parking in driveway only, and the walking access to be on the walk provided;
4. The hours of counseling would not exceed 10:00 PM at the end of the last visit;
5. License not to be issued until the solid wall is completed.

Note: On August 8, 1990, Mr. Elggren came into the Planning Dept. to obtain his fence permit.

Mr. Boothe accompanied Mr. Elggren back to his property where they took measurements, discussed the height, and completed and signed the fence permit, a copy of which is attached to the permanent minutes of record.

Conditional Use:

8-7-90.5A 90-6C Approval of between 5,000 and 6,000 sq. ft. of retail space at 120-140 W. 500 So., Lawrence Barber Dick Dresher, Architect

There will be two buildings, one a drive-in facility, the other for retail business. Landscaping and parking requirements have been met. Staff has reviewed the plans and recommends approval subject to the following conditions:

1. A street light is proposed to be moved 54 ft. to the east; however the maximum distance allowed to keep the light coverage would be 15 ft. to the east (at the expense of the owner);
2. The site is in Flood Zone A-0 subject to 1 ft. of sheet flooding. The lowest floor of the buildings must be 1 ft. above street level. The east building should be set at elevation 101.00 and the west building at elevation 100.00; the east entrance from 500 So. should be raised to prohibit drainage water from flowing into the property; a storm detention fee of \$882.00 to be paid;
3. Sanitary sewer is acceptable with a separate service to each building, and a connection fee will not be charged unless the buildings exceed 20 plumbing fixture units;
4. The proposed 1-1/2 inch water meter is acceptable, with a cost of \$3,292.50 for the meter service. The owner may consider two 1- inch meters for a separate service to each building, for a total cost of \$2,770 for both services;
5. The north property line is against residential developed properties. Staff recommends the chainlink fence be replaced with a solid barrier fence or wall to separate the land uses, for a distance of 65-70 ft. starting from the northeast corner and running west;
6. Final plans to comply with all the city building codes;
7. Final landscape plan and automatic sprinkler plan to be prepared and approved by City Planner before a building permit is issued; posting a landscape bond in the amount of \$5,000 or 5% of the value of the building construction, whichever is greater;
8. Approval of the Power Dept.;
9. A sidewalk cash deposit of \$1,417.10 is required; the building fees will be according to the Uniform Building Code.

Regarding #5, it had been stated that it could be eliminated since there was no residential development along the north property line. However, Mr. Balling stated that we had required a solid barrier separation between commercial and residential on everything else along 5th South, and even though there are no homes directly abutting this development, it is still a residential use and should have something to screen the area. The developer has proposed a chainlink fence with a solid barrier to the east.

Les Foy made a motion to grant the conditional use subject to the conditions outlined by staff; seconded by Mick Johnson; Mike Holmes questioned #5. Mr. Foy clarified that it would be a chainlink fence except for the easterly 65-70 ft. which would be a solid barrier fence (wood or slatted chainlink) ; majority voted approval. Dick Dresher abstained from voting.

After the motion, Mr. Dresher stated he had met with staff this afternoon with a possible revision to the plan that was just presented and approved. The new idea is to slide the building closer to the street, with half the parking in front and half in the back. It would be the same parking and landscape requirements, same buildings and functions. One exit has been added out the back

where the drive-thru is located. The larger building has been reduced in square footage because of the driveway, but the concept is the same. The question was whether this would require a new conditional use request, or could they come back with their final plans adjusted? Staff feels they can work with the conditions, but that the fence should be a solid fence all along the north property line. Planning Commission felt since they could legally do this it would be acceptable.

Mike Holmes made a motion to approve the amended version of the plans with the same conditions as previously outlined, with #5 being for the entire distance or length of north property line. Les Foy seconded; Dick Drescher abstained; majority voted approval.

8-7-90.5B 90-7C Expansion of Pegasus Records & Tapes, 358-360 W. 500 So., Kevin Garn; Don Peterson, Contractor

The expansion would be to the west, demolishing the existing structure. Staff has reviewed the plans, recommending approval subject to the following conditions:

1. Payment of a storm detention fee in the amount of \$469.00;
2. owners to obtain a variance from the Board of Adjustment to build the addition to the north property line, eliminating the rear yard setback as required by ordinance;
3. A solid 6 ft. high fence along the north property line;
4. Final construction plans to be reviewed by the building inspector, and are to meet all city and state codes and laws;
5. A cash deposit in the amount of \$1,293.50 for a sidewalk bond to be paid when building permit is issued;
6. site improvement bond (landscape) to be posted in the amount of 5% of the value of the building project, or \$5,000, whichever is greater, required at time of issuing building permit;
7. Revise landscape plan as indicated.

Elaine McKay made a motion to grant the conditional use permit, subject to the conditions recommended by staff; Jeff Chretien seconded the motion; voting was unanimous.

Subdivisions - Preliminary:

8-7-90.5A Temple Hill Estates, 550 S. 1450 E. , 33 Lots, 15.5 Acres Dean Hill

Mr. Boothe mentioned that part of the property had been eliminated for consideration at this meeting; 16 lots are being approved at this time.

This subdivision is part of the old Moss Hill Subdivision that was given preliminary approval in 1969. The first plat was recorded but the remainder of the land has remained undeveloped. It is in the foothill area and all provisions of the Foothill Ordinance prevail.

The plat has two access routes, from Indian Trail Road and Oakview Lane. The land has an average slope of 12% which requires a minimum lot area of 12,000 sq. ft. The 16 lots on this

preliminary plat comply with the foothill area.

The utilities have been stubbed to the property in the streets or are available through the easement on lots 3 and 4.

Staff recommends preliminary approval be granted subject to the following conditions:

1. Compliance with the provisions of the Foothill Development Zone;
2. Compliance with the Subdivision Ordinance in the preparation of the final plans.

Mike Holmes made a motion to grant preliminary approval to Temple Hills Estates, subject to the Foothill Ordinance and Subdivision Ordinance; Elaine McKay seconded the motion; voting was unanimous.

8-7-90.5B North Bench Estates, Plats A, B, C, D & E (Formerly Quailbrook), 67 Lots, 1400 E. 900 No.

This item was tabled by the Planning Commission July 17, 1990 because of a concern over the public access and the road tie to Northridge Drive. The plat has been changed to put Northridge Dr. on the developer's property, however this will require a variance to allow a 15% grade for about 800 ft. on this street.

The matter of two accesses was reviewed with the City Attorney. His opinion is that the existing graded road to the shooting range and to Bountiful Peak has been dedicated by public use and would constitute a public access. This would meet the ordinance for two accesses to the property south of Dry Hollow. The property can be developed in phases as long as that access remains in place or is replaced by an approved dedicated road that provides the same access benefits now existing.

Planning Commission and staff discussed the road system through and around this project, and how the future development would require some changes. The city is working with the adjacent property owners to change the present gravel access road.

Kathi Izatt presented a report that will help the city in its future negotiations with the Kingston property. She stated that unless there is an easement recorded, the city does not have a prescriptive easement on the roadways which are currently being used on the Kingston property. They are only being used by their permission. Utah law provides that there be a permissive use category, next would be a prescriptive use which is what was presumed to exist, the third level would be an actual recorded easement or dedication. If a dedication is recorded, then the city can vacate it. This report will be given to the City Attorney for his review.

It was verified also that the acquisition of the Forest Service land to build the access road at 12% grade is still a viable plan.

Staff recommends preliminary approval subject to the same conditions that were recommended

at the July 17, 1990 meeting:

1. Compliance with the provisions of the Foothill Development Zone;
2. Payment of the storm detention fee and draining the south half of the development to Stone Creek;
3. Submission of a revegetation plan;
4. Working with the city to secure access from Bountiful Blvd.;
5. Providing an easement for the water line extension and grading the easement to city standards, and payment of the water line extension (\$14.50 per ft.);
6. Compliance with all other provisions of the city Subdivision Ordinance, with two exceptions:
if a tie is made from Northern Hills, we allow a 15% grade; and, allow development now with 1 access.

Jeff Chretien made a motion to grant preliminary approval to North Bench Estates Subdivision Plats A, B, C, D, & E subject to the recommendations by staff; Les Foy seconded; voting was unanimous.

Miscellaneous:

8-7-90.11A Master Plan Report - Parks, Recreation & Open Spaces Les Foy

Mr. Foy reviewed the above report with the Planning Commission and expressed his thoughts as recommendations for consideration:

Parks should be designed for all age groups, theme parks rather than address parks. For recreation, in regard to all age groups, do not concentrate entirely on the youth and athletes! but include things such as table games, crafts, etc. for passive recreation.

Cooperation with Woods Cross, West Bountiful and North Salt Lake with possible developments that would aid all of these communities. Some recommendations would be hiking, limited motor bike trails, equestrian use, and camping. Farmington and Bountiful could utilize an area for mountain biking and once a year have an annual contest or race. Farmington and Bountiful will both celebrate their centennials in 1992.

Regarding open spaces, a shade tree commission could be organized. There was such a commission at one time in Bountiful, and it is Mr. Foy's recommendation that Council be approached to reestablish it.

Mr. Foy recommends deleting from the Master Plan item #4, which states that no buildings should be allowed above 5,250 ft. elevation.

The Foss Lewis property, though not yet annexed into Bountiful, has potential to provide recreation such as a multiplex ball diamond facility. The city has approached Davis County several times to get them to develop a recreational park in the south end of the county as they have done in the north end.

There is a large piece of property owned by the Wood and Cannon families at 3603 So. 550 W. There is a number of historic buildings on this site. Mr. Foy recommends the city acquire that property using it as a park (Heritage Park), which would fit the requirement in the Master Plan for neighborhood parks. It would also fit the recommendation that we work with neighboring communities like No. Salt Lake and the Val Verda area. The city could apply for grants to develop the property. An open air theatre here would meet one of the passive recreation needs as well as developing the historic buildings for public view.

Mr. Foy recommends the site at 200 W. and 300 No., where the original dugout was made by Perrigrine Sessions, as a museum. The building behind is a pioneer carriage house.

After further discussion, the Planning Commission felt the following should be considered by the City Council:

1. Passive recreational needs should be as important as active needs;
2. Consider establishing a shade tree commission similar to Salt Lake City's;
3. Acquire the property at approximately 300 No. 200 W. for a museum;
4. Acquire the Wood/Cannon properties and the artifacts therein;
5. Construct more boweries in our parks.

Of the five items above, the Planning Commission felt item 4 to be the most important. It was suggested that the Planning Commission draft a letter to Barbara Holt, Chairwoman of the Parks & Recreation Committee of the City Council, and bring her on board before we go further with any of the thoughts expressed above.

DATE: August 7, 1990

TO: Planning Commission

FROM: City Engineer and Planning Director

SUBJECT: Conditional Use Review for Lawrence Barber
Property at 120-140 West 500 South

We have made a review of the conditional use plans and would recommend approval, subject to the following conditions:

1. Street Light . The proposed relocation of the street light could be moved at the expense of the owner; however, the maximum distance to keep the light coverage would be 15 feet to the east. We could not move the light 54 feet as required.
2. Drainage. . The site is in Flood Zone A-0 subject to one foot of sheet flooding. The lowest floor of the buildings must be one foot above the street level. The east building should be set at Elevation 101.00 and the west building at Elevation 101.5.

The site drainage concept is acceptable; however, the east drive entrance should be raised to prohibit drainage water from flowing into the property.

Storm detention has not been provided for the site except for the north eight feet. A storm detention fee of \$2,100 per acre is required. This fee would be \$882.

3. Sanitary Sewer is acceptable with a separate service to each building, and a connection fee will not be charged unless the buildings exceed 20 plumbing fixture units.
4. Culinary Water. The proposed 1 1/2-inch water meter is acceptable and the cost would be \$3,292.50 for the meter service. The owner may consider two 1-inch meters for a separate service to each building. The cost of a 1-inch meter is \$1,385, or a total cost of \$2,770 for both services.
5. Screening . The north property line is against residential developed properties. We would recommend the chain link fence be replaced with a solid barrier fence or wall to separate the land uses.
6. Final Plans are to comply with all of the City building codes.
7. Landscape Plan. Final landscape plan and automatic sprinkler plan to be prepared and approved by City Planner before a building permit is issued.
8. Approval of the City Power Department.
9. Fees and Bond. The City will require a site improvement (landscape) bond in the amount

of 5% of the value of the building construction. A sidewalk cash deposit is required in the amount of \$10 per front foot, or \$1,417.10. The building fees will be according to the Uniform Building Code.

DATE: August 7, 1990

TO: Planning Commission

FROM: City Engineer and Planning Director SUBJECT: Review of Conditional Use
Plans for Expansion of Pegasus Record & Tapes 358-360 West 500 South

We have made a review of the plans for this conditional use and would recommend approval, subject to the following conditions:

1. Drainage. The buildings are in the A-0 flood zone and meet the requirements of this zone. The drainage plan is acceptable and drains to 500 South Street through the drive entrance. The plans do not provide for storm detention and a fee for the proposed addition is required in the amount of \$469.
2. This building is required to be set back 10 feet from the north property line as a buffer from the residential zone. The owners must obtain a variance from the Board of Adjustments to build the addition to the north property line.
3. Fencing . The north property line should be screened and fenced with a solid 6- foot fence to separate the residential use from the commercial use.
4. Building Plans. The plans have not been reviewed for final construction by the inspector. The plans are subject to meeting all of the City codes and state laws before final review will be made.
5. Sidewalk Bond. A cash deposit of \$10 per foot, or \$1,293.50, is required at the time the building permit is issued.
6. Site Improvement Bond. This bond, in the amount of 5% of the value of the building work, will be required at the time the building permit is issued.
7. Landscape Plan to be revised as indicated.

DATE: August 7, 1990

TO: Planning Commission

FROM: City Engineer

SUBJECT: Review of Preliminary Plat for Temple Hill Estates Subdivision

This subdivision is part of the old Moss Hill Subdivision which was granted preliminary approval in 1969. Since the approval, the first plat was recorded and the remainder of the land has remained undeveloped.

This property is now in the foothill area and all the provisions of the Foothill Ordinance prevail. The preliminary plat has two access routes: from Indian Trail Road and Oakview Lane. The land has an average slope of 12%, which requires a minimum lot area of 12,000 square feet. The 16 lots on this preliminary plat comply with the foothill area.

The utilities have been stubbed to the property in the streets, or are available through the easement of Lots 3 and 4.

I would recommend preliminary approval be granted to the 16 lots proposed as Temple Hill Estates, subject to the following conditions:

1. Compliance with the provisions of the Foothill Development Zone.
2. Compliance with the subdivision ordinance in the preparation of the final plans.

DATE: August 7, 1990
TO: Planning Commission
FROM: City Engineer
SUBJECT: Amendment to Review of Preliminary Subdivision Plat
for North Bench Estatesl Plats A, B, and C D -- E@

This item was tabled by the Planning Commission at the last meeting on July 17 because of a difference of opinion over a public access and the road tie to Northridge Drive. The plat has been changed to put the Northridge Drive wholly on the developer's property. This will require a variance to allow a 15% grade for about 800 feet on Northridge Drive.

The matter of two accesses was reviewed with the City Attorney. His opinion is that the existing graded road to the shooting range and to Bountiful Peak has been dedicated by public use and would constitute a public access. This would meet the ordinance for two accesses to the property south of Dry Hollow and the property can be developed in phases as long as that access remains in place or is replaced by an approved dedicated road which provides the same access benefits that now exist.

I still recommend preliminary approval, subject to the same conditions as outlined in the attached report of July 17, 1990.

DATE: July 17, 1990
TO: Planning Commission
FROM: City Engineer
SUBJECT: Review of Preliminary Subdivision Plat for Northbend Estates, Plats A, B, C

This subdivision contains 67 lots and is located in the northeast corner of Bountiful City, just west of the letter "B" on the foothill. The subdivision is within the Foothill Development Zone.

The slope of the land varies between 0% to 20% and requires lots of 12,000 sq. ft. in the sections less than 15% slope and 16,000 sq. ft. for those areas over 15% slope. The frontage must be 80 ft. wide and the lot must have 5,000 sq. ft. of usable land less than 30% slope. These conditions have been met on the preliminary drawing, with the exception of some of the lot sizes which will be specifically defined on the final plats.

The subdivision shows preliminary drainage plans of the surface water into Dry Creek and onto Skyline Drive. We recommend that the water be drained to Skyline Drive where possible and that storm detention be waived for payment of the detention fee.

A re-vegetation plan will be required for the areas where the hillside will be disturbed for roadway construction. This will be required in the final subdivision review.

The streets are proposed to have no greater cut or fill than 10 feet, except where the roadway crosses over the Dry Creek drainage ravine. The grades on the streets will not exceed 12% except for the stub road out of Northern Hills Subdivision.

The ordinance requires two access routes. These will be provided by the access from Skyline Drive, Bountiful Boulevard, and Northern Hills. The first phase development will only have one access until the development of Bountiful Boulevard.

The culinary water source to serve this development is about one-half mile south of this development on Bountiful Boulevard in the Granada Hills Subdivision. The City ordinance requires the developer to provide an easement and grade the easement to the approval of the City and to pay for the installation of the water line from the source to their property. This must be done before the development can be given final approval.

The sanitary sewer and electric power utilities are available in the Quailbrook Subdivision and adequate to serve this development.

We would recommend preliminary approval subject to the conditions as follows:

1. Compliance with the provisions of the Foothill Development Zone.

2. Payment of the storm detention fee and draining the south half of the development to Stone Creek.
3. Submission of a re-vegetation plan.
4. Working with the City to secure access from Bountiful Boulevard.
5. Providing an easement for the water line extension and grading the easement to the City standards, and payment of the water line extension (present fee is \$14.50 per foot).
6. Compliance with all other provisions of the City subdivision ordinance.