PLANNING COMMISSION MINUTES
April 19, 1988

Present: Chairman Doug Todd, Dick Dresher, Richard Sharp, Robert McKenzie, Robert Goodman, Cheryl Okubo, Berwyn Andrus; Jack Balling, City Engineer; Jon Reed Boothe, Planning Director; Russell Mahan, Ass't. City Attorney; Tom Hardy, City Manager, Harold Shatter, City Council Rep.

Absent: Mick Johnson
Invocation: Robert McKenzie

Conditional Use:

4-19-88.5A Dennis Vowles, 483 W. 325 So., Automotive Repair in Existing Building

Mr. Vowles wishes to open an automotive repair (mainly radiator repair) business which is allowed in this zone as a conditional use. It is an existing building formerly used as a welding shop. If approved, staff recommends the following conditions:

1. Seven off-street parking spaces are required; there are 6 in front of the building; Planning Commission may allow one of five inside parking spaces to apply to the requirement;
2. Fire Dept. approval before the business license is issued;
3. Landscaping to be along the north wall of the building;
4. All mechanical work on vehicles to be done inside the building, and no repairs to be done in public street;
5. Preparation of a larger site plan showing parking, landscaping and sprinkler plan; landscaping to name trees and shrubs;
6. Posting a 5% landscape bond;
7. Items 2 through 6 to be accomplished before the business is opened and before business license approval;

A question of whether or not this application should be accompanied by drawings, etc., as required under the Site Plan Review requirements, was answered by Mr. Mahan who said it is the legal department's opinion that the site plan review language does not apply to existing buildings that do not require remodeling or new construction; however, conditional use language under the ordinance permits the Planning Commission to attach conditions they feel is appropriate.

Richard Sharp made a motion to table this application until drawings are prepared showing what is to be done regarding parking and landscaping; motion was seconded by Harold Shafter; Berwyn Andrus voted nay; majority voted approval.

There was concern that since other adjacent property did not have landscaping, it might be an unreasonable requirement for this use. There is a 6 ft. strip along the front of the building that could be landscaped, and some Planning Commission members felt the landscape ordinance should be enforced.

Berwyn Andrus made a motion to reopen the hearing, since there is no construction to be done there should be no delay in approving or disapproving this request. Robert Goodman seconded; Dick Dresher and Richard Sharp opposed; motion carried by majority to reopen for discussion.

Mr. Andrus feels since there is no construction involved, and agrees all automotive work should be done inside the building, he sees no storage problem inasmuch as there will be no long term major auto repair. Berwyn made a motion for conditional approval subject to the following conditions, including those recommended by staff:

1. All work to be done inside building;
2. Some negotiation regarding what kind of landscaping could be done considering the building is existing and there are no plans for remodeling; (Planter boxes might be used in lieu of tearing up the asphalt for planting, which does not seem practical);
3. Fire Dept. inspection and approval, with emphasis on spray painting being done inside;
4. Landscape plans to be submitted to staff for approval and installed within 30 days of this hearing.

Cheryl Okubo seconded the motion; Richard Sharp and Dick Dresher opposed; majority voted approval.

4-19-88-5B Danbury Condos, Revised, 1000 N. 275 W.
Prowswood Development, Inc., Mike Holmes, Rep.

Mr. Boothe presented the proposed site plan. In February 1985, the city approved a PUD plan for a single family attached development. Approximately half of the project has been completed, and due to the current market, Prowswood is now proposing to develop the remaining parcel to a single family detached development with private streets 30 ft. wide. Homes would be built on individual lots, with the buyer choosing one of four different styles. The lots would not be individually sold, and would be smaller than normal (smallest lot size allowed in the city is 6500 sq. ft.). These lots would be from 4200 to 6000 sq. ft.

In order to qualify as a Planned Unit Development, there must be a minimum of 6 acres. The area already developed contains 4.7 acres, and that which is proposed to be developed contains 4.7 acres. To meet the ordinance, these two areas must be combined into one development, which was the condition under the original approval.

Staff has reviewed the plan and recommends the following conditions of approval:

1. The street pattern as established under the original proposal be essentially the same; ie, that the two areas be connected on the south and north with through streets to allow circulation of traffic for emergency, safety, and service access;
2. 800 No St. to be terminated in a cul-de-sac to city standards as recorded under the original proposal;
3. Access through a driveway from the cul-de-sac be provided;
4. The sidewalk on the north side of the cul-de-sac be waived;
5. Developers to bond for all expenses to change the sewer and drainage system and to provide storm detention on property as per the original approvals;
6. Final construction plans to be presented for review and approval by the Engineering Dept.;
7. All bonds posted and fees paid before any building permits are issued;
8. Posting a landscape bond to guarantee the landscaping of all common area on the single family detached section of the development before the building permit is issued.

J. D. Bernard, 820 No. 250 W., spokesman for the condominium Homeowners' Association, expressed the greatest concern for safety due to the narrow streets and increased traffic and pedestrian flow if the two communities are joined by a through street.

Others expressed their concerns about mixing the senior citizen condominium owners and the younger single family owners with young children and their different life styles and needs. Also, they are very much against shared amenities.

The installation of a crash gate for emergency vehicles was felt to be necessary, keeping it closed at all times to public access. The space in front of the gate would be an invitation to park vehicles there for long periods of time which would result in serious consequences when emergency vehicles would have to get through.

Streets and front yards would be he common area. There is no planned activities space or other amenities. This would have to be shared with the condominium owners; however, to accommodate their wishes, this would not be allowed. This brings back the fact that this project, in order to comply with the ordinance, has to be developed as a single development. To separate them into individual projects is in violation because of the size (4.7 acres) of each. An approved PUD must have a minimum of 6 acres. The entire property was originally approved as one development.

There are two areas of consideration: 1. certain requirements of the planning and zoning ordinances which is the Planning Commission's responsibility to enforce, i.e., the 30% open space requirement; 2. there are areas of agreement between Prowswood

and individual purchasers of units that are outside the Planning Commission's area of responsibility; ie, whether or not the people who buy the single family homes participate in the amenities is not a city concern, but a private matter. The zoning ordinance requires the PUD to be 6 acres; this project consists of 9.4 acres, but when divided in half equals 4.7 acres each and are not in compliance; therefore it must be handled as one unit. The people who live in the Danbury condo project do not want any connection between the two properties. When treated as one unit there has to be circulation so emergency vehicles can get through the project without having a barrier problem.

Mr. Holmes said the major issue is that they are asking for an amendment to the approved plan, in that the two areas be separated by a crash gate and a 6 ft. high cedar fence, prohibiting the flow of traffic. Other issues brought out will be dealt with internally with the homeowners.

Harold Shafter made a motion to deny the request to change the concept of this development, and that Prowswood develop the 97 units under the original approval. There is no justification in the zoning requirements to make changes and deviate from that course. The motion was seconded by Robert Goodman; voting was unanimous.

Meeting adjourned at 9:25 PM.

833 North 250 West
Bountiful, Utah 84010
April 14, 1988

Douglas I. Todd, Chairman
Bountiful Planning Commission
790 South 100 East
Bountiful, Utah 84010

Dear Mr. Todd:

This letter is being submitted for consideration by the Bountiful Planning Commission during the Public Conditional Use Permit Hearing scheduled April 19, 1988 at 7:45 p.m. (Reference Legal Notice Petition No. 88-5C).

On May 15, 1987, my wife and I purchased a condominium, address above, in the Prowswood Danbury Lane development. We paid cash for what we planned to be a lifetime retirement residence in a Prowswood development. This decision was predicated on the overall concept of the development presented by the agents of Prowswood and, equally important, the established reputation Prowswood enjoyed as a reputable developer and builder.

Our preference, therefore, would be for the project to be finished as originally planned and represented to us at the time of purchase. This, we believe, would maintain the value of our retirement investment much more than the present proposal of establishing a single-family detached planned unit development on the remainder of the property.

However, in light of the present economic outlook for the area, and the state of Utah, if the majority of the property owners adjacent to the project favor the changed plan of development as a means of marketing the project more rapidly, we would require that certain conditions be established and followed.

-First, and most important, as the majority of the Danbury Lane homeowners are near retirement or retired, the two developments <u>must</u> preserve their integrity; the condominiums as retirement property and the single-family homes as the family oriented development it will become. This includes providing separate individual access to each

phase of the project <u>without</u> automobile or foot traffic between the two. Also, there must be an eight-foot high boundary fence as is now used to <u>totally</u> enclose the Danbury Lane condominium development.

-Regarding the fence to be built beyond our condominium unit to separate our unit from the single-family homes, we are enclosing a copy of the community map given to us at the time our unit was purchased. Please note that our unit (circled and identified therein) was an extra cost lot because of the proximity to the Community Center and the waterscape beside and at the rear of our unit. We will expect that the boundary fence be placed as far away from our unit as shown on the map, (i.e. beyond the planned pond), and the greenspace behind our unit be landscaped in accordance with the present completed phases.

-Regarding the proposed planned unit development, it is also important that Prowswood landscape the single home lots, front and back, to be compatible with the Danbury Lane condos. This, again, is necessary to retain project integrity and to protect the value of our property.

Sincerely,

R. J. Swain Edith Swain

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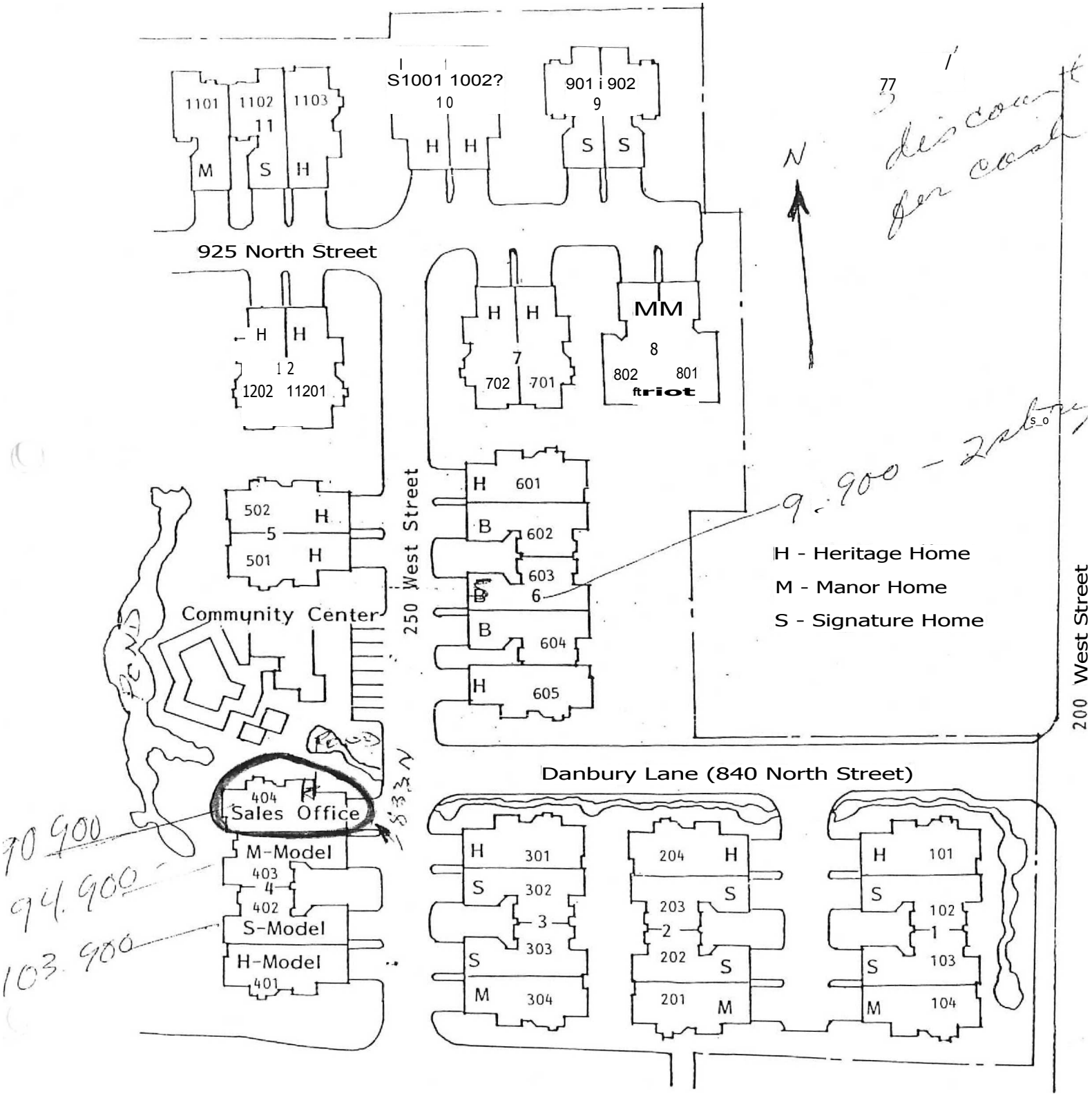
siBURY COMMUNITY MAP

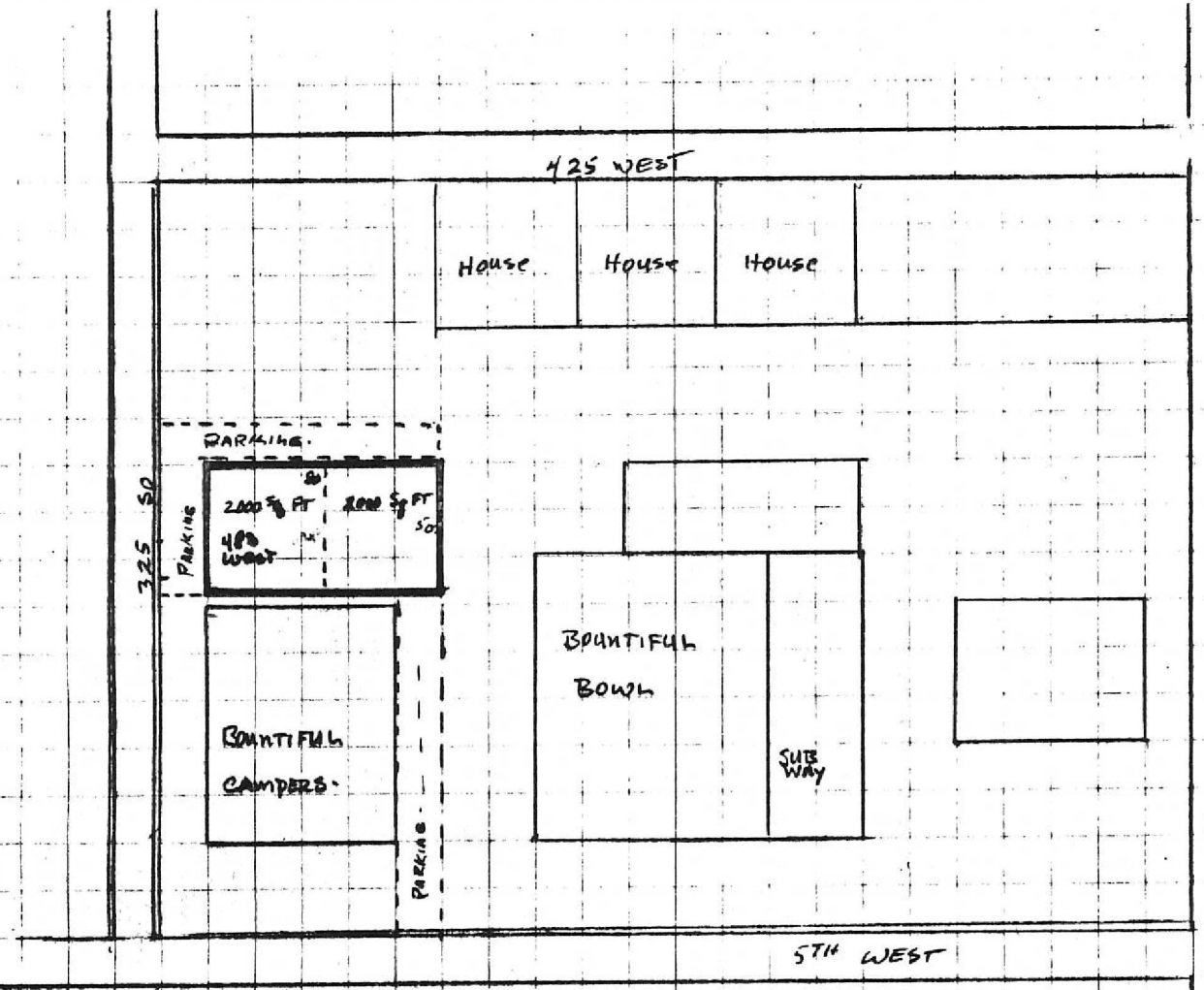


DANBURY i ANF

SITE & LOCATION

NORTH

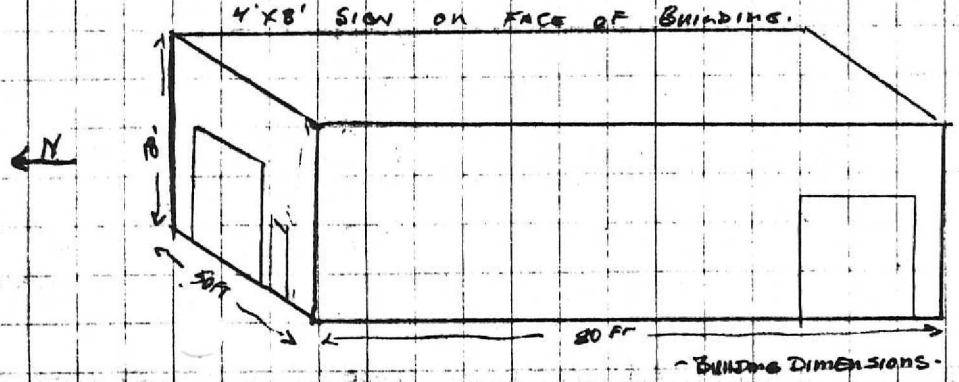
3/10/98



50' X 80' BLOCK BUILDING 18' TALL w/ 12' OVER HEAD DOOR AND PASSAGE DOOR

ALL UTILITIES, NO LANDSCAPING, CURB & GUTTER & SIDEWALK.,

4'X8' SIGN ON FACE OF BUILDING.



- BUILDING DIMENSIONS -

April 19, 1988

TO: PLANNING COMMISSION

FROM: CITY STAFF

SUBJECT: REVIEW OF PROWSWOOD CHANGE OF DANBURY P.U.D.

We have reviewed the proposed change of P.U.D. development of Danbury on 200 West and 1000 North. In order to qualify as a planned unit development under the ordinance (Section 7-301), the proposed development must contain a minimum of 6.0 acres. The area that has been developed contains 4.7 acres and the area which they propose to revise contains 4.7 acres. In order to meet the ordinance, the two areas must be combined into one development and that was the condition under the original approval.

The developers propose to change the west half of this project into single family detached dwellings with private 30-feet wide streets. We have reviewed the plan and recommend approval subject to the following conditions:

1. That the street pattern as established under the original proposal be essentially the same, i.e., that the two areas be connected on the south and north with through streets to allow circulation of traffic for emergency, safety, service access.

2. That 800 North Street be terminated in a standard City cul-de-sac as was the requirement under the original proposal.

3. That access through a driveway from the cul-de-sac on 800 North be provided.

4. That the sidewalk be waived on the north side of the cul-de-sac.

5. That the developers bond for all expenses to change the sewer and drainage system and to provide storm detention on property as per the original approvals.

6. That final construction plans be presented for review and approval for all improvements in the proposed developments.

7. That all bonds be posted and fees paid as per the City ordinance before any building permits are issued.

8. That a landscape bond be posted to guarantee the landscaping of all common area open spaces before the building permit is issued.

April 18, 1988

It is the understanding of the residents of Danbury Lane that:

1. Prowswood Inc. intends to not finish Danbury Lane as per their original plans and intent but rather are proposing to the City of Bountiful and to Danbury homeowners a plan to build single family dwellings on the remaining property to the west of the finished condominium units.

2. That the city of Bountiful's engineering department has told Prowswood that in order to proceed with this plan that the streets serving the two separate communities should loin to 'allow unrestricted traffic from one private association to another, s ecificall for fire rotection needs.

As a result of this understanding the homeowners of Danbury Lane take the following stand:

1. While there are concerns dealing with Prowswoods proposal, which are currently being discussed and resolved, and considering the circumstances leading to this proposal, we do not oppose their plans to build Cambridge.

2. We d ke ver stro tion how [redacted] City's requirement to connect the two separate association streets and opening them to unrestricted traffic.

Following are some primary reasons for this strong exception:

1. The very nature of the Danbury Lane community is one that attracts retirement and mid-life couples. It is an "empty nester" community with hardly any children under the age of 16 and few older. People came to this community to find peace and quiet and the absence of the hustle and bustle of a younger family neighborhood. There are in fact many "Senior Citizen" residents living in the Danbury Lane community, and also as point of fact, only two families with children under the age of 16. This is the current status based on 30 sold units out of a potential 43.

2. The Danbur Lane community streets are little more than driveways and there are 9.2 12„gya s. If t ere is a parked car 77—the street, two cars cannot pass each other. This is a real potential problem because there are few designated visitor parking spaces. There is very little bacTrng and manuvering room under the best of conditions.

3. The nature of the Cambridge community is one that will attract young families with small children and possibly a significant number of teenagers and teenage drivers.

4. Without a traffic restriction between communities the following potential and real public concerns would become a reality, not to mention the violation of the intent and the design and purpose of Danbury Lane as a community.

A. Children would be riding tricycles, bicycles, big wheels, skateboards, etc. from one community to the other.

B. Streets would become a thoroughfare for resident and non-resident children taking "short cuts" to school, the swimming pool, the ice skating rink, the park,etc.

C. Residents from both communities as well as non-resident visitors and "sight-seers" would also be tempted to take "short cuts" thru both communities. Given the size ot the roads and the fact that there are no sidewalks, and also that we are now talking about a young family community as well as an older family community and senior citizen community, a serious breach in public safety has taken place. Also,the reduced reflexes of senior citizens, is a great cause of concern for them with potentially large numbers of children in the streets.

D. Danbury Lane has waterscapes. Some of our water-scape ponds are deep enough for a small child to drown . Water is a natural draw to children and when those children are uncontrolled because they are potentially large in numbers and are from the adjoining community or are "short cut takers", another serious breach in public safety has taken place. This situation would significantly increase Danbury Lanes liability potential.

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E. The increased traffic by non-contributors.to our private road system w1d also cause increase1 wear and tear and thus causing increased maintainance to members of both communities.

In summation, the roads of the two separate communities could be lained together for emergency purposes,specifically for the passin of fire fi$hting equipment, while being effectively restricted to pedestrian and vehicle traffic by use of a crash gate or a hin ed ate with a padlock which E7Ti1d easily be cut with bort cutters in a matter o secon s, al wit out virtually any breach [illegible] T?rn compared with the absolute breach of public safety on a daily basis by keeping roads open to public and inter-commuinty pedestrian and vehicle traffic, on private property, makes the decision to restrict passage between the two separate communities, that have two separate needs and life styles, in our opinion the only logical decision to make.

Dear Mr Bernards

In answer to your letter of April 7, these are the things that would cause us persanal concern if the roads were to be kept open.

1- My husband is sick & we purpaely came to a location off the main streets so that it would be quiet & peaceful for him.

2- Our little grandchildren comes to visit & we want safty from busy streets for them

3- Since we have no sidewalks it forces us to walk in the street when we go for a walk, & if the streets are kept open for the public, we can't go for walks at all with any degree of safty.

4- It will ruin the quality of life we expected when we bought in here.

Sincerely Doris & Rulon Sawby