

PLANNING COMMISSION MINUTES
March 1, 1988

Present: Chairman Doug Todd, Robert McKenzie, Dick Dresher, Cheryl Okubo, Mick Johnson, Robert Goodman, Richard Sharp; Harold Shafter, City Council Rep.; Phyllis Southwick, Planning Committee; Jack Balling, City Engineer; Jon Reed Boothe, Planning Director; Shirley Chevalier, Recording Secretary

Excused: Berwyn Andrus

Invocation: Mick Johnson

Minutes of February 16, 1988 were approved with some modifications made to items 7 and 8, Conditional Use 88-1C, Park View Nursing Home.

Conditional Use:

3-1-88.5A 88-2C J & D Auto Addition, 295 S. Main
John Hyatt, Owner and Joe Holmes, Interwest
Building Systems, present.

In 1983 a Conditional Use was approved for the existing business, with conditions; i.e., gravel the east parking area, and cars parked there were to be those being worked on, with the tires inflated, hoods and trunks closed, and no junk vehicles. The request tonight is to allow a structure to be built around this vehicle storage area, 80 ft. by 67 ft., 17 ft. high, 15 ft. from 300 So. St.

Staff recommends the following conditions be met if approved:

1. Storm detention to be located on the property or pay a storm drain fee of \$479.00;
2. Final plans to show sewer and water;
3. The seven existing parking stalls on the west side to have a concrete bumper guard so there is no interference with the sidewalk;
4. Landscape and sidewalk bonds to be posted;
5. Final landscape and sprinkler plans to be prepared by either a licensed landscape architect or landscape installer;
6. Any mechanical equipment installed on the roof of the building to be screened from view;
7. Two existing illegal roof signs to be removed;
8. Trash and dumpster area to be enclosed with a 7 ft. high decorative concrete wall;
9. Power Dept. approval of easements;
10. Conditions that were not met in 1983 are to be enforced as follows:
 - a. No outside storage of new or used parts, engine blocks, transmissions, oil, etc.;

- b. No storage of junk vehicles on the property; those existing must be removed immediately;
- c. Vehicles stored on property must be there for service only;
- d. Vehicles waiting for service must have tires inflated, hoods and trunks closed at all times.

Staff also feels that the enclosure itself should be more decorative due to its close proximity to the downtown area.

Another concern is that the landscape ordinance requires doors to garage service areas to be directed away from a street or screened from view if facing a street. There are currently four doors that face the street without screening. Mr. Boothe stated he checked with the Legal Department, and it was felt they would have to be within the front yard and closer to the street to enforce this requirement.

The contours on the plans indicate that the storm water runoff on the east side will run through the building and the landscaping. A new storm drain system will be installed along Main Street that would serve this property and help solve the problem.

Mr. Holmes stated the purpose of this structure is to make compliance with the 1983 conditions easier. Some vehicles have to remain on premise while waiting for ordered parts, and some vehicles are abandoned there and getting rid of them is a lengthy and difficult process. This enclosure would keep all of this from public view.

A question of whether this building would be used for more than storage was raised since the application states it is for automotive repair and service, which means it would have to be heated, wired, and plumbed. Warehouse and storage is not a permitted use in this zone, so this addition could not be just for storage. Mr. Balling said that future use for this building would require that it meet the Uniform Building Code so it could be marketed.

The height of the proposed addition (17 ft.) was of concern, and how the roof runoff would be handled.

It was suggested that perhaps just a solid fence would serve their needs and be much easier to comply with.

Sara Peters, 60 E. 300 So., and Mr. and Mrs. Roy Miller, 46 E. 300 So. stated they did not like the big stacks of tires and other junk they see from their property, and big trucks parked along the street.

Mrs. Tingey of ^{COW^L Stationery} Tingey's Cold Storage, 470 So. Main, stated that those with older buildings along Main Street will be involved in

beautification projects, and they are interested that new buildings will be aesthetically pleasing when constructed also.

Taking into consideration the site drainage running through the proposed building, problems with the existing drainage across the sidewalk, and the height of the building, Richard Sharp made a motion to table this application until these problems are solved; seconded by Harold Shafter; voting was unanimous.

Commercial Applications:

3-1-88.11A Discount Tire Co., 2527 So. Main, Preliminary

An existing business, Yankee Lunch, will be torn down for the Discount Tire building. The property to the north is Arby's Restaurant, to the south is Triangle Oil.

Staff has reviewed the plans and recommends the following conditions for preliminary approval:

1. Landscape and sprinkler plans to be prepared by a licensed architect according to the Landscape Ordinance;
2. Posting of the required landscape and sidewalk bonds;
3. Approval from the South Davis Water & Sewer District;
4. Payment of a storm water fee of \$1,176.00, and other required fees;
5. Landscaping to the rear of the building has a block retaining wall that is failing and needs to be replaced;
6. Dumpsters to be screened from view with a solid wall that matches the architecture of the building;
7. Any mechanical machinery on the roof to be screened from view;
8. A demolition permit to be obtained before tearing down the existing building, and all utilities to be identified and marked before demolition is started;
9. Power Dept. approval of site plan.

Elevations were shown. The business consists of the sale of tires, mounting and dismounting, flat repair, balancing, but no automotive repair of any kind.

Harold Shafter made a motion to grant preliminary approval subject to conditions set by staff; seconded by Robert McKenzie; voting was unanimous.

3-1-88.11B Nielsen's Frozen Custard, 568 W. 2600 So.
Preliminary & Final

Steve Nielsen, owner, stated the new location would become national headquarters for Nielsen's Frozen Custard. They are currently franchised in 5 states. An office will also be built on this site with an area for personal storage.

The design concept is the diner style popular many years ago. Part of the structure incorporates the logo of the company which is a large custard cone that extends upward several feet past the roof line. According to the definition of a roof sign in the sign ordinance, this would be illegal and have to be eliminated. However, Mr. Boothe and Mr. Nielsen will meet with the Legal Department for a determination on this. The City Council is scheduled to make a decision on this application May 2nd. If it is determined the cone logo is not in compliance, a request to the City Council to amend the sign ordinance to allow this type of sign would be in order.

Staff recommends preliminary and final approval subject to the following conditions:

1. Payment of all required fees including a storm detention fee of \$998.00;
2. Posting a landscape bond and sidewalk bond;
3. Additional area along west side and north side to be included in landscape scheme;
4. Dumpster site to be screened from public view with solid wall to match architecture of main building;
5. Approval from So. Davis Water & Sewer District;
6. Mechanical equipment, if mounted on roof, to be screened from public view;
7. Power Dept. approval;
8. Plans to meet all code requirements before building permit is issued;
9. Custard cone sign not part of above approval; to be reviewed separately.

Mick Johnson made a motion to grant preliminary and final approval to the buildings only, excluding the cone sign, subject to conditions outlined by staff above; Robert McKenzie seconded the motion; voting was unanimous.

Mick Johnson made a second motion to recommend that the City Council amend the sign ordinance to allow the cone structure to remain attached to the building inasmuch as the cone and building are one entity and should be built as designed. Voting in favor of this amendment: Doug Todd, Cheryl Okubo, Mick Johnson and Robert McKenzie; against: Richard Sharp, Robert Goodman, and Dick Dresher. Councilman Shafter abstained.

(Note: On May 2, 1988, the City Council determined that the cone sign can meet the qualifications in the sign ordinance under the definition of Projecting Signs, and therefore is legal.)

Meeting adjourned at 9:45 PM.



BOUNTIFUL

City of Beautiful Homes and Gardens

DEAN S. STAHLER
MAYOR

CITY COUNCIL
H. KEITH BARTON
ROBERT GRAMOLL
BARBARA HOLT
C. HAROLD SHAFTER
PHYLLIS C. SOUTHWICK

January 13, 1988

Scott Davis
Deseret Certified Development Co.
4885 South 900 East, Suite 211
Salt Lake City, Utah 84117

Dear Mr. Davis:

In October of 1987, the City of Bountiful was contacted by Mr. Steven Nielsen concerning the expansion of Nielsen's Frozen Custard. The City, through the Bountiful Redevelopment Agency, has reviewed the proposed expansion and recommends it to be funded through the assistance of the Small Business Administration.

Mr. Nielsen's proposal for new development would have impact upon our community in the following ways:

1. The development will become a national headquarters for Nielsen's Frozen Custard. This will mean an increase of out-of-state individuals visiting our community.
2. The development will provide increased employment.
3. The development is proposed on land currently underutilized, and a new development of this type would assist in providing additional taxes (both sales and property) to our community.
4. The development will include the manufacturing of additional products. The success of these products could mean additional "spin-off" development by this young company.

We are impressed by the record of this company and their ability to expand outside the Utah market. It is our understanding that the SBA had previously reviewed and given preliminary approval for this development. We would hope that this earlier commitment would be extended at this time. If you have any other questions or need any information, please contact Randy Sant, Executive Director, Bountiful Redevelopment Agency.

Sincerely,

MAYOR DEAN S. STAHLER
City of Bountiful