

Bountiful City
Planning Commission Minutes
January 21, 2020

Present: Chair – Sean Monson; Vice Chair – Jesse Bell; Planning Commission Members – Sam Bawden, Jim Clark, Lynn Jacobs, and Sharon Spratley; City Council Representation – Kendalyn Harris; City Attorney – Clint Drake; City Engineer – Lloyd Cheney; City Planner – Francisco Astorga; Assistant City Planner – Curtis Poole and Recording Secretary – Darlene Baetz

1. Welcome and Introductions.

Chair Monson opened the meeting at 6:30 pm and welcomed all those present.

Shawna Andrus swore in Lynn Jacobs as a new Planning Commissioner.

2. Approval of the minutes for December 17, 2019.

Jesse Bell made a motion to approve the minutes for December 17, 2019 as written. Sam Bawden seconded the motion. Voting passed 6-0-1 with Commission members Bawden, Bell, Clark, Monson, and Spratley voting aye with Councilwoman Harris abstained.

3. Consider approval of a request for a preliminary architectural & site plan review of 12 multiple-family dwellings (four triplexes) located at 1265 North Main St, Douglas Bangerter Holdings LLC represented by Ivory Development, applicant.

Chase Freebairn was present representing Bountiful Chase. Curtis Poole presented the staff report.

On September 3, 2019, the Planning Commission forwarded a positive recommendation to the City Council and on October 8, 2019, the City Council held a Public Hearing to receive comments regarding a zone change, submitted by the Applicant, from the C-G (General Commercial) Zone to the RM-13 (Multiple Family Residential) Zone at 1265 and 1295 North Main Street. The Council voted unanimously to approve the zone change and the Applicant is now requesting Preliminary Architectural and Site Plan approval for a 12 Unit Multi-Family Townhome which will accompany a 22 Lot Single-Family Residential development. Ivory presented to the Council and Commission a conceptual plan of the development as part of the zone change.

The proposed development is located on three (3) parcels which total 3.94 acres, and is the current location of Bountiful RV. These three (3) parcels will need to be re-subdivided and recorded with Davis County prior to applying for building permits. A Preliminary Planned Unit Development subdivision plat amendment has been submitted concurrently with this application. The subject property has the R-4 (Single-Family Residential) Zone to the north, west and east. It has the RM-13 (Multiple Family Residential) Zone to the south and northeast and has the C-G (General Commercial) Zone to the north.

The proposal submitted by the Applicant shows the 12 Unit Townhomes located adjacent to Main Street with the Single-Family homes located behind. There will be two (2) access points from Main Street and the Applicant will need to receive approvals from UDOT prior to any construction or alteration of the drive approaches. The proposal also shows a horseshoe shaped road that will be owned and maintained by the Homeowners Association. This private road will loop the development from one approach to the other, with a connecting road behind the townhomes.

A central feature in the proposal is open space for the future residents. The open space provides an appropriate buffer between the townhomes and the Single-Family homes. Prior to submitting for Final Site Plan approval, the Applicant shall provide a detailed landscaping plan for all common areas surrounding the townhomes and the open space. The parking plan submitted shows the Applicant meet the standards of the Code. The townhomes will each have a rear loaded two-car garage with six (6) additional parking spaces behind the townhomes. Each future Single-Family home will provide for its own parking.

The RM-13 Zone would permit the Applicant a residential development up to 51 Residential Units. The Applicant proposed to decrease the density of the Planned Unit Development by providing mixed residential housing types, known as life-cycle housing. In exchange of such community benefits, the Applicant seeks some relief from some of the development standards of the Code, particularly the front and side yard setbacks of the townhomes, the setback requirements of the Single-Family homes and lot coverage. The planned unit development gives the Applicant an ability to mitigate a potentially undesirable element, in this case the impact of density, by reducing its effects in exchange for flexibility with some development standards. Staff has researched the effects of the proposed reductions as well as the benefits of the proposal and finds the effects are mitigated based upon best planning practices.

The Applicant has provided a product lineup for the townhomes; however, prior to Final Site Plan approval the Applicant will need to provide renderings of the actual townhomes to be built at this location consisting of building elevations and applicable sections. Each Single-Family home will be required to submit a separate building permit to be reviewed and approved by Staff.

The proposed development is in an area which has anticipated Multi-Family uses and the current infrastructure is adequate to handle the additional townhomes and Single-Family residences proposed.

Staff recommends that the Planning Commission forward to the City Council and positive recommendation of approval the Preliminary Site Plan for 12 Unit Multi-Family Townhome and 22 Lot Single-Family Residential Development subject to the following conditions:

1. Complete any and all redline corrections.
2. Prior to the issuance of building permits, the three (3) parcels will need to be re-subdivided.
3. The drive approaches shall receive approvals from UDOT prior to applying for a building permit.
4. All damaged curb, gutter and sidewalk along Main Street shall be replaced.
5. Submit a Landscape Plan meeting the standards of the Code prior to Final Site Plan approval.
6. Provide renderings, including elevations and building materials, of the Townhomes prior to Final Architectural and Site Plan approval.
7. Sign a Development Agreement.

Mr. Poole stated the exact rendering will be brought to the Planning Commission at the final site plan.

Sharon Spratley made a motion to forward a recommendation of approval to the City Council for the approval of the preliminary architectural & site plan review of 12 multiple-family dwellings (four triplexes) located at 1265 North Main St with the seven conditions outlined by staff. Jim Clark seconded the motion. Voting passed 7-0 with Commission members Bawden, Bell, Clark, Harris, Jacobs, Monson, and Spratley voting aye.

4. PUBLIC HEARING - Consider approval of a request for a preliminary subdivision of a 34-lot

residential subdivision consisting of 22 single-family lots and 12 multiple-family dwellings (four triplexes) located at 1265 North Main St, Douglas Bangerter Holdings LLC represented by Ivory Development, applicant.

Lloyd Cheney presented the staff report.

Ivory Development is requesting preliminary approval of a 34 unit Planned Unit Development (PUD) located on the Bangerter RV site at 1295 N Main Street. The development will also include the property which is associated with the single family home at 1265 N Main Street. This project site was rezoned from C-G (General Commercial) to RM-13 in September 2019. The surrounding properties consist of offices and single family residences to the north; single family residences and an orchard to the east and south; a sedimentation removal structure on Stone Creek and an electrical substation on the west side of the development. The Village on Main (mixed use) site is located approximately 1,000 ft north of the site.

General: Ivory Homes is proposing to build 12 townhomes in the first phase, followed by a second phase which will include 22 single family units. The overall development proposal is the same as the concept which was presented to the Planning Commission and the City Council at the time the property was re-zoned. The townhomes which are proposed in the first phase of the project will be divided into 4 separate structures of 3 units each. The second phase will include the 22 single family residences on the western portion of the property. The interior streets will be dedicated as private streets owned and maintained by the PUD's Homeowners Association. The streets will be constructed in two configurations, each of which having a 22 foot wide pavement, and a 2 foot wide curb and gutter section on each side. The wider street configuration is proposed to have a 6 foot wide sidewalk constructed on one side of the street for pedestrian access. This wider street section is proposed as the width for the primary access route from Main Street which forms the "loop" through the development. Main Street is a UDOT facility, and the improvements that are proposed within the Main Street Right of Way (including the access points to the development) will require UDOT approval and must meet UDOT standards for construction.

The site generally slopes from SE to NW, with approximately 10 ft of fall across the site. Minimal amounts of grading will be required for construction of roadways and building pads.

Utilities: All necessary utilities are available to serve the site. Sewer will connect to the development from an existing sewer main near the Northwest corner of the PUD. This stub line was installed as part of the construction of the Bountiful Shadows Subdivision. The sewer will be installed so that it can potentially serve future development of the properties to the south. The proposed storm drain system will include a detention basin on the west side of the single family units. The system will discharge to Stone Creek through a piped connection on the north side of the sedimentation basin. Ivory will be required to obtain the necessary permits from Davis County Public Works to connect to the channel. Overflow from the detention basin will be directed to the creek channel. Culinary Water is also available from the Bountiful Shadows subdivision via a stub line which was installed at the same time as the sewer. In order to create a looped system, a connection to the existing culinary main on the east side of Main Street will be required. The current plans indicate 2 planned crossings of Main Street for connection to the culinary water line, but only one connection is necessary to create the looped water system. Each utility crossing on Main Street crossing will require UDOT approval and permits. The townhomes will be served by culinary and sewer services from the west side (rear) of the buildings to minimize utility cuts on Main Street. As with the sewer, the culinary water system should be installed

with a stub which could serve the future development of the properties to the south of this development. Overhead power currently serves the site, and the existing homes to the south.

Traffic: During the period of 2016-2019, traffic counts have shown a range of traffic volume between 12,000-13,000 cars per day. The expected increase in traffic from the site (340± vpd) represents approximately 2.6% of the current volume on Main St., and should not significantly decrease the current Level of Service on Main St.

Miscellaneous: The existing site survey has identified a minor issue with the fencing along the west portion of the property. The existing fence alignment has accommodated access by Davis County Public Works for access to the sedimentation basin and for Bountiful Light and Power's access to the substation for more than twenty years, so it is well established as a prescriptive easement. This item could be addressed by Ivory in the following ways:

1. Grant fee ownership or an easement for access to Davis County and Bountiful City.
2. Adjust the west property line to follow the existing fence line.
3. Fence to the west property line as shown.

One of these options should be a condition of approval.

It is recommended that the Planning Commission forward a positive recommendation to the City Council for the preliminary approval of the Bountiful Chase PUD with the following recommendations:

1. Complete the redline corrections for minor issues on the plat.
2. Complete the redline corrections for the required utility adjustments.
3. Obtain UDOT approval and permits for access and construction.
4. Obtain Davis County approval and permits for connection of the storm drain system to the Stone Creek channel.
5. Resolve the access/fencing/property boundary issue to provide access to the existing creek channel and power substation.

He reported on the provisions that were made years ago to have the utilities permitted from the rear of the property. This helps to mitigate the development for UDOT along Main St.

Mr. Drake stated that he does not anticipate any problems with the fencing/property line.

Chase Freebairn thanked the City for working with the developer.

Chair Monson opened the **PUBLIC HEARING** at 6:57 p.m.

Verlon Duncan resides at 1330 North 200 East. Mr. Duncan asked if the property has been surveyed and asked for clarification on the utilities to be stubbed in. He mentioned that he has not seen any survey markers.

Chair Monson closed the **PUBLIC HEARING** at 6:59 p.m.

Mr. Astorga stated that the property has been surveyed and there are two structures that are encroaching onto this project. Chase mentioned that the development has had a full survey done and the developer

will be in contact with the property owner to the south regarding the two structures to be relocated.

Mr. Cheney reviewed the sewer connections.

Chair Monson asked about encroachment issues. Mr. Drake mentioned that it is a private matter and is between the owners.

Sharon Spratley made a motion to forward a recommendation of approval to the City Council for the approval for a preliminary subdivision of The Bountiful Chase, a 34-lot residential subdivision consisting of 22 single-family lots and 12 multiple-family dwellings (four triplexes) located at 1265 North Main St with the five conditions outlined by staff. Sam Bawden seconded the motion. Sharon Spratley amended her motion to include the Planning Commission has no comments regarding the structures that appear to be encroaching on the development. Voting passed 7-0 with Commission members Bawden, Bell, Clark, Harris, Jacobs, Monson and Spratley voting aye.

5. PUBLIC HEARING – Consider approval of Omnibus Amendments to the Bountiful City Land Use Ordinance.

Francisco Astorga presented the staff report.

On a regular basis, usually annually, the Planning Department will bring up various amendments that need to be made to the Land Use Code in order to provide order, accuracy, and clarifications that need to be made. The current Code is 266 pages and consists of the work, research, analysis, etc. of current and former City Planners, Planning Commissions, and City Councils. Given the ever changing nature of land use development it is necessary to periodically revise and amend the Code. The proposed amendments include the following:

- Adding a definition of “plaza”
- Restricting eminent domain for trails (already prohibited in the Utah State Code but restricting the City’s ability of the law were changed), as directed by City Council
- Amending the current definition of a “Planned Unit Development”
- Removing the Planned Development Overlay (PDO) Zone chapter
- Amending the term “Land Use Ordinance” to “Land Use Code”
- Amending sections of the parking Code for clarity
- Clarifying the role the administrative review process of Conditional Use review

Staff recommends that the Planning Commission review the proposed Land Use Code text amendments, hold a public hearing, and consider forwarding a positive recommendation for the City Council, based on the findings drafted on the attached proposed Ordinance.

Chair Monson opens **Public Hearing** at 7:13 p.m.

Terry Eggett resides at 211 E 1700 South. Mr. Eggett asked for a spelling error to be corrected.

Chair Monson closed the **Public Hearing** meeting at 7:14 p.m.

Ms. Harris stated the public’s concern about restricting eminent domain for trails. Mr. Drake discussed the State stance on the eminent domain for trails.

Jesse Bell made a motion to forward a recommendation of approval to the City Council for the approval of the Omnibus Amendments to the Bountiful City Land Use Ordinance. Jim Clark seconded the motion. Voting passed 7-0 with Commission members Bawden, Bell, Clark, Harris, Jacobs, Monson and Spratley voting aye.

6. Planning Director's report, review of pending applications and miscellaneous business.

Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 7:18 p.m.



Francisco Astorga, Planning Director