


BOUNTIFUL CITY
PLANNING COMMISSION AGENDA
Tuesday, July 2, 2019
6:30 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Planning Commission will hold a meeting in the Conference Room at City Hall, **South Davis Metro Fire Station, 255 S 100 W, Bountiful, Utah**, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the American with Disabilities Act may request an accommodation by contacting the Bountiful Planning Office at 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome and Introductions.
2. Approval of the minutes for June 18, 2019.
3. Consider preliminary site plan approval for 2nd and Main, a mixed use multi-family located at 220 N Main St, Justin Atwater, applicant.
4. Consider preliminary site plan approval for an addition at St. Olaf Church and School located at 1793 South Orchard Dr, Ralph Stanislaw representing St. Olaf Church and School.
5. **CONTINUED TO JULY 16 – *Pending complete plans*** - Consider preliminary site plan review approval for a triplex located at 170 North 100 West, Jonathon Blosch, applicant.
6. Consider approval of the Findings of Fact for the approval of a variance to the standards of the Bountiful City Land Use Ordinance to allow for retaining walls greater than 10 feet located at 1233 E Sunrise Place, Jason and Amanda Kier, applicant.
7. Planning Director's report, review of pending applications and miscellaneous business.



Francisco Astorga, City Planner

**Bountiful City
Planning Commission Minutes
June 18, 2019
6:30 P.M.**

Present: Chair – Sean Monson; Vice Chair – Von Hill; Planning Commission Members – Jesse Bell, Jim Clark, and Sharon Spratley; City Council Representation – Richard Higginson; City Attorney – Clint Drake; Asst City Planner – Curtis Poole; City Engineer – Lloyd Cheney; and Recording Secretary – Darlene Baetz

Excused: Planning Commission Member – Tom Smith

1. Welcome and Introductions.

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

2. Approval of the minutes for June 4, 2019.

Richard Higginson made a motion to approve the minutes for June 4 as written. Jim Clark seconded the motion. Voting passed 6-0 with Commission members Bell, Clark, Higginson, Hill, Monson, and Spratley voting aye.

3. PUBLIC HEARING – Consider approval of a variance to the standards of the Bountiful City Land Use Ordinance to allow for retaining walls greater than 10 feet located at 1233 E Sunrise Place, Jason and Amanda Kier, applicant.

Jason and Amanda Kier were present. Curtis Poole presented the staff report.

The applicants, Jason and Amanda Keir, have requested a variance to allow for retaining walls greater than 10 feet in height for their property located at 1233 East Sunrise Place in the R-F (Residential Foothill) zone. The proposed variance would allow for construction of a new home on this vacant property.

Section 14-2-111 authorizes the Administrative Committee as the review body for variance requests within the R-F zone related to retaining walls exceeding 10 feet in height. Section 14-2-104 authorizes the Chairman of the Administrative Committee to assign any item designated for Administrative Committee review to the Planning Commission, in which case the Planning Commission acts under the same authority granted to the Administrative Committee.

In 1985 Sunset Hollow subdivision Plat A was approved. The applicant's property, 1233 East Sunrise Place, or lot 15, was part of the approved subdivision. As the subdivision was developed, Sunrise Place was graded and a fill slope was constructed for the west side of the cul-de-sac, resulting in a steeper slope than the natural grade at the front of the property from the road. The property to the north, a detention pond owned by the United States Government, was constructed after the subdivision was approved. Lot 15 has remained vacant since creation of the subdivision.

The applicants have submitted a proposal for a new home to be built on their property. With the steepness of the downward slope the applicants needed to address the reverse grading of the driveway, disturbing slopes greater than 30% and the height of the retaining walls. The slopes which exceed 30% are limited to the fill slope associated with the construction of the cul-de-sac. This is not a naturally occurring feature of the property.

The challenge for the applicants, similar to others in the R-F zone, was to balance all three of these concerns. In their design, the applicants were able to reduce the downward slope of the driveway; however, it still requires a retaining wall taller than 10 feet. The wall is roughly 17 feet at the highest point. Because the wall is taller than the 10 foot minimum standard in code it is necessary for the applicants to apply for a variance. If the variance is denied, it would create a situation where the slope of the driveway would not meet standards and would require a variance.

Utah Code 10-9a-702 establishes the criteria for review of a variance request and stipulates the applicant “shall bear the burden of proving that all of the conditions justifying a variance have been met.” In order to grant a variance each of the following criteria must be met:

- (i) *Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;*

Staff Response: State law defines a hardship as “associated with and peculiar to the property itself,” and further states the hardship “cannot be self-imposed or economic.” A steep reverse grade driveway was necessary to access the buildable portion of the lot. As Sunrise Place cul-de-sac was graded and constructed it created slopes greater than 30% on Lot 15 and a steeper transition from the road to the lot. The addition of Sunrise Place should not be considered self-imposed hardship created by the applicants.

- (ii) *There are special circumstances attached to the property that do not generally apply to other properties in the same zone;*

Staff Response: Many of the properties in the R-F zone have similar constraints as the applicant’s property which limit the buildable area and require steep driveways, tall retaining walls and disturbances of slopes greater than 30%. The applicant’s property is unique however, because unlike many other properties, the slopes greater than 30% are not the natural slope and were created during the construction of the subdivision. In other words, the grading of Sunrise Place created a unique circumstance that only affects this property.

- (iii) *Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;*

Staff Response: Other properties in the R-F zone with buildable lots have been allowed some reasonable disturbances of the slopes greater than 30%, and the need to create steep driveways and tall retaining walls. The slopes disturbed by the construction of the home is not a natural condition, and is a feature associated with the construction of the cul-de-sac. Granting the variance will allow the applicants to enjoy similar property rights possessed by others in the R-F zone. Denying the variance will allow other properties a right not extended to the applicant’s property.

- (iv) *The variance will not substantially affect the general plan and will not be contrary to the public interest;*

Staff Response: Approval of a variance for the applicants will not have a substantial effect to the General Plan as other properties in the R-F zone are treated similarly regarding steep slopes and retaining walls. It is an interest to the City to have all buildable lots developed as opposed to remaining vacant.

(v) *The spirit of the land use ordinance is observed and substantial justice done*

Staff Response: The purpose of the land use ordinance that requires improvements be located on slopes less than 30% is to preserve the hills and manage runoff and erosion on properties located in the foothills. The Code anticipates that there are existing lots with special circumstances and that the variance process provides a way for those lots to be developed. However, Section 14-4-101 of the Code also stipulates that the alteration of sensitive lands should be the minimum necessary to allow for reasonable use of the property. The proposal submitted by the applicants, demonstrate they have made substantial efforts to minimize the impact construction will have on the slopes of their property.

Based on analysis of the required criteria from State law included in the findings above and the materials submitted by the applicant, staff recommends approval of the requested variance related to retaining walls greater than 10 feet with the following condition:

1. The applicants will continue to work with staff to ensure the final plans submitted will meet the standards for building in the R-F zone, in particular reducing the downward slope of the driveway and show reasonable impact to slopes greater than 30% and final heights of retaining walls.

Steve Scoville, Architect for Mr. and Mrs. Kier, presented computerized 3-D plans for the proposed home. The presentation included 30% grades, driveway slope, driveway panels and front 25' setback.

Chair Monson opened and closed **PUBLIC HEARING** at 6:39 p.m.

Staff discussed the wall would be visible from the street. Mr. Scoville stated that the plan is to add plants to be a buffer for the wall.

Mr. Cheney stated that because the slope is not a natural slope and was created when the subdivision was created, the 30% slope requirement does not apply.

Staff and Commission members discussed what approach that they should take for issues that arise like this item. Staff recommended taking each item as it comes up.

Mr. Monson stated that he would like to see a buffer of vegetation against the large retaining wall.

Sharon Spratley made a motion to approve the Variance to the standards of the Bountiful City Land Use Ordinance to allow for retaining walls greater than 10 feet located at 1233 E Sunrise Place with the condition outlined by staff and the addition of a second condition to have extra vegetation to be used as a buffer for the retaining wall. This should also include in the Findings of Fact that occurred in the process of development that there is not an existing structure on the property. Richard Higginson seconded the motion. Voting passed 6-0 with Commission members Bell, Clark, Higginson, Hill, Monson, and Spratley voting aye.

4. **Consider approval of a Conditional Use Permit in written form for inside storage for a building construction material/office for Jim Miller Plumbing and Heating located at 220 W Center St, Randy Lewis representing Jim Miller, applicant.**

Sharon Spratley made a motion to approve the Conditional Use Permit in written form for inside storage for a building construction material/office for Jim Miller Plumbing and Heating located at 220 W Center St. Richard Higginson seconded the motion. Voting passed 6-0 with Commission members

Bell, Clark, Higginson, Hill, Monson and Spratley voting aye.

5. Consider approval of a Conditional Use Permit in written form for a multi-family dwelling located at 33 W 400 South, Brian Knowlton, applicant.

Jim Clark made a motion to approve the Conditional Use Permit in written form for a multi-family dwelling located at 33 W 400 South. Von Hill seconded the motion. Voting passed 6-0 with Commission members Bell, Clark, Higginson, Hill, Monson and Spratley voting aye.

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

1. Next Planning Commission meeting will be July 2, 2019.
2. Francisco Astorga has been hired for the Planning Director position and will start with Bountiful City on June 24, 2019.

Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 7:03 p.m.

Clint Drake, Interim Bountiful City Planner

Commission Staff Report

Item # 3

Subject: Preliminary Site Plan approval for a Mixed Use Residential and Commercial Development
Author: Curtis Poole, Assistant City Planner
Address: 220 North Main Street
Date: July 2, 2019



Description of Request:

The applicant, Privet Barrow, LLC/Justin Atwater, requests preliminary site plan approval for a Mixed Use Residential and Commercial Development, located at 220 North Main Street. The property is located in the DN (Downtown) zone.

Background and Analysis:

The property has a prominent location on Main Street at the corner of 200 North. IHC Health Services owns and operates the property to the North and East, a commercial development is located to the south across 200 North and a vacant car lot is across Main Street to the west. The proposed development is located on multiple parcels approximately 0.684 acres (29,795 square feet).

The proposed plans show a mixed used residential and commercial development consisting of two commercial spaces fronting Main Street and 14 two-bedroom residential units behind and above the commercial spaces and fronting 200 North. The proposed residential units will have two-car garages. The existing home on the northern part of the development will be removed as well as the Brook's Fabric Building on the corner of Main Street and 200 North.

Properties developing along Main Street must have a commercial presence at ground level and be given a high level of consideration in the development process to preserve the character of the downtown area. Design and architectural elements should be thoughtfully placed throughout the development, especially on prominent locations such as intersections.

The DN zone requires all developments fronting Main Street to have parking areas entirely behind the principle structures. Plans show 13 on-site parking stalls in addition to the two-car garages. The plans show an additional 5 parking stalls on the street; however, on-street parking cannot count toward the parking requirement of the development. There may need to be adjustments to some of the stalls as they would fall within the front yard setback or adjacent to Main Street.

The proposed development will be accessed by an approach on Main Street and one on 200 North. Drive aisles should continue to meet the standards of the code to allow for vehicle access to garages, especially the units along 200 North. Timing of this construction will need to be carefully coordinated with the reconstruction of 200 North.

A unique feature of this development is the existence of a creek which runs through the middle of the property. The creek in addition to the setback standards of the DN zone will constrain how this property develops. Construction of this property will need to be coordinated with and receive approval from the County.

Department Review

This proposal has been reviewed by the Engineering, Power, and Planning Departments and by the Fire Marshall.

Significant Impacts

The development is occurring in an area with urban levels of infrastructure already in place. With this proposed development occurring at the intersection of Main Street and 200 North it will greatly impact the aesthetics of the Downtown area.

Recommended Action

Staff recommends the Planning Commission forward a recommendation of approval to the City Council for preliminary site plan review for the mixed use residential and commercial development subject to the following conditions:

1. Complete any and all redline corrections.
2. Prior to issuance of the building permit, resolve any concerns with Bountiful City Light and Power regarding connections to the property.
3. Prior to final site plan approval applicant shall apply for approval of a Conditional Use Permit.
4. Revise parking which will meet the standards of the Land Use Ordinance, particularly Sections 14-7-110 and 14-18-107.
5. Update the south and north elevations of the building at the corner of Main Street and 200 North to show design and architectural elements consistent with 14-7-112, section C. In addition revisions to the north elevation of the residential units along 200 North should be made to avoid large expanses of uninterrupted building surfaces as detailed in code.
6. A detailed landscaping permit shall be submitted meeting the minimum requirements of sections 14-7-109, 14-16-104 and 14-16-109 prior to final site plan approval.
7. Receive any necessary approvals from Davis County regarding the easements of the creek and development of the property.

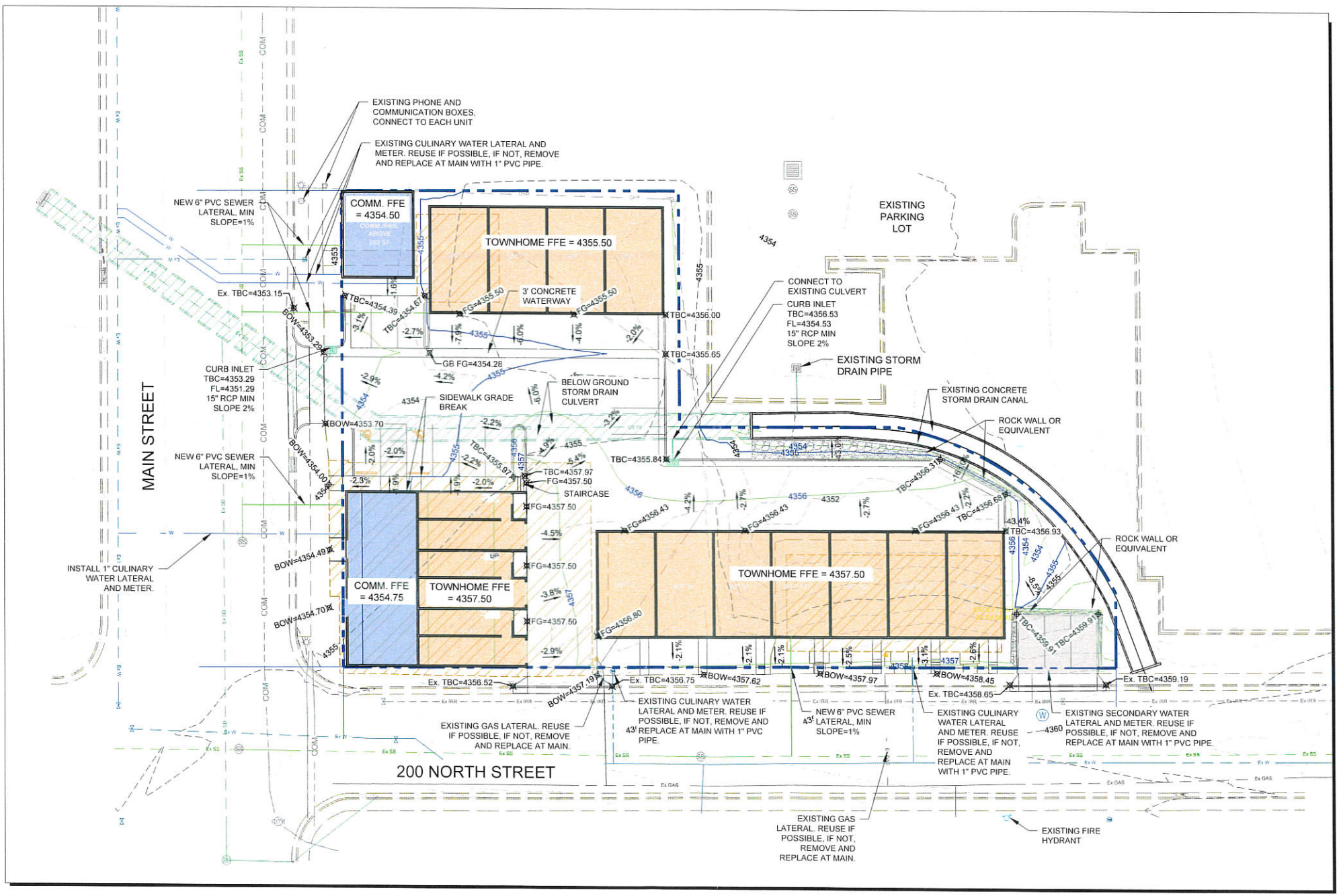
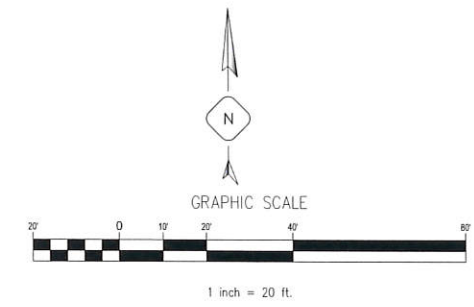
8. Prior to the issuance of the building permit parcels shall be consolidated and complete any proposed property boundary adjustments.

Attachments

1. Aerial photo
2. Site plan
3. Building elevations

Aerial Photo





REVISION
DATE
NO.
DRAWING IS NOT TO SCALE IF BAR DOES NOT MEASURE 1 INCH

BOUNTIFUL TOWN HOMES ON MAIN
PRELIMINARY SITE
GRADING AND UTILITY PLAN
BOUNTIFUL CITY, DAVIS COUNTY, UTAH

Scott R. McFarland, PE
Project Manager
347 East 1375 South
Kaysville, Utah 84037
801.262.6797 (P)
smcfar@yahoon.com



CUT/FILL CALCULATIONS

GROSS CUT*	100 C.Y.
GROSS FILL*	1,200 C.Y.
NET CUT:	1,100 C.Y.

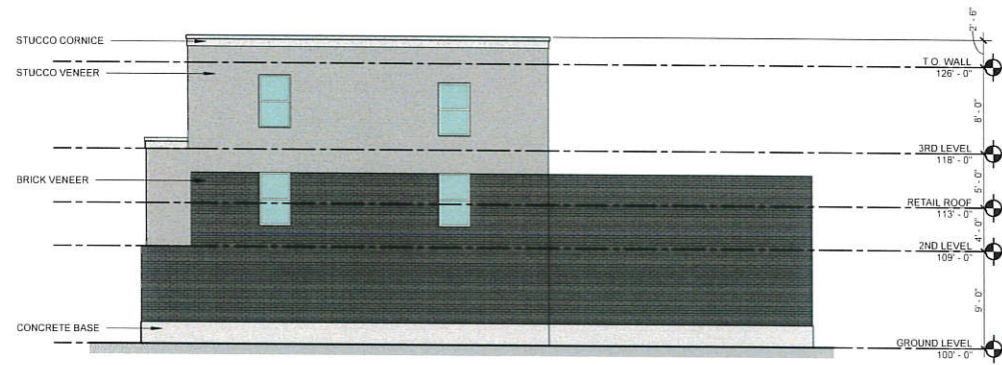
* GRADING QUANTITIES CONSIDER ROADBASE, ASPHALT AND CONCRETE THICKNESS. ALSO INCLUDES CUT QUANTITIES FOR UNDERGROUND DETENTION GRADING.

DESIGN: SPM
DRAWN: SPM
CHECKED: SRM
DATE: 6-10-19

SHEET:
GU-1



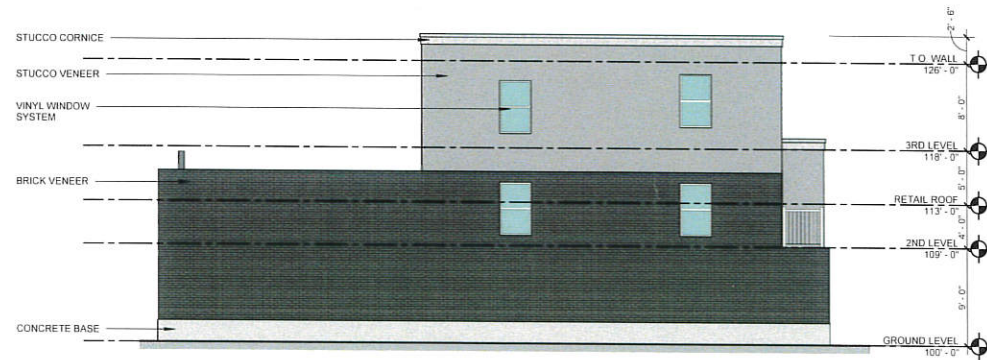
05 PERSPECTIVE VIEW



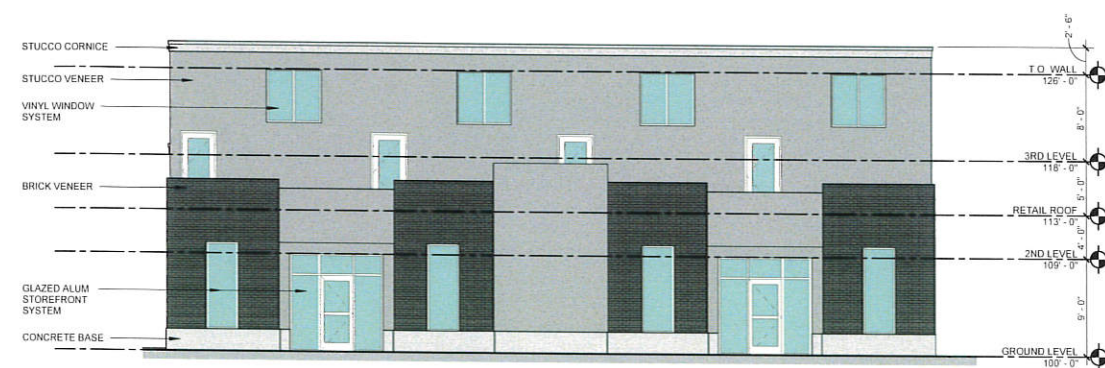
04 SW BUILDING - NORTH ELEVATION
1/8" = 1'-0"



03 SW BUILDING - EAST ELEVATION
1/8" = 1'-0"



02 SW BUILDING - SOUTH ELEVATION
1/8" = 1'-0"



01 SW BUILDING - WEST ELEVATION
1/8" = 1'-0"

STAMP

REVISION NO	DESCRIPTION	DATE

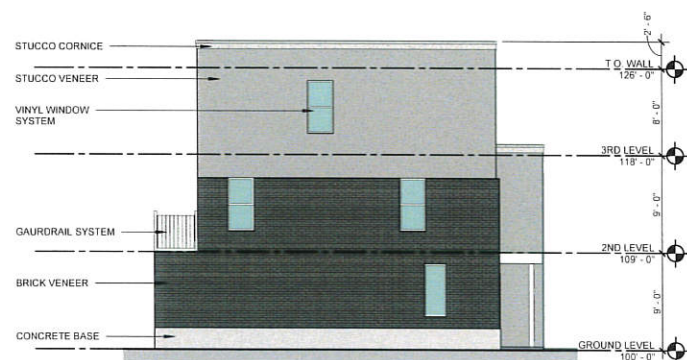
DATE
06/10/19
ISSUE

SHEET TITLE
**EXTERIOR
ELEVATIONS
SW BUILDING**
SHEET NO

A5.01



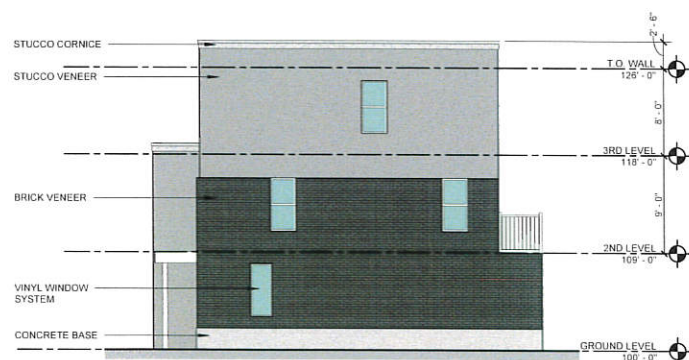
05 PERSPECTIVE VIEW



04 SE BUILDING - WEST ELEVATION
 1/8" = 1'-0"



03 SE BUILDING - NORTH ELEVATION
 1/8" = 1'-0"



02 SE BUILDING - EAST ELEVATION
 1/8" = 1'-0"



01 SE BUILDING - SOUTH ELEVATION
 1/8" = 1'-0"

**2ND & MAIN
 DEVELOPMENT**
 220 NORTH MAIN STREET
 BOUNTIFUL, UT

STAMP

REVISION NO	DESCRIPTION	DATE

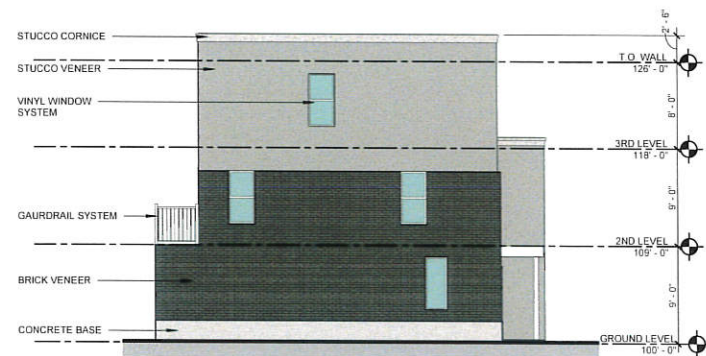
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06/10/19
 ISSUE

SHEET TITLE
**EXTERIOR
 ELEVATIONS SE
 BUILDING**

SHEET NO
A5.02



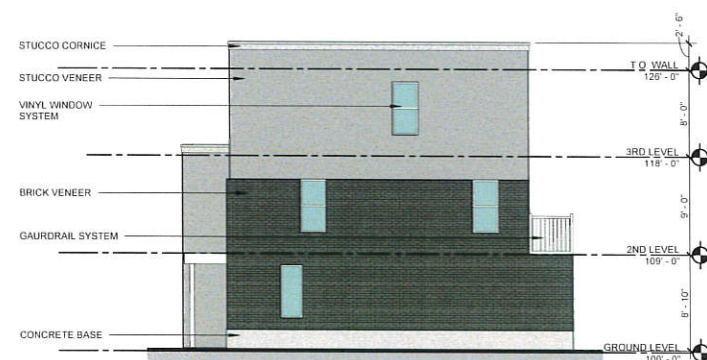
05 PERSPECTIVE VIEW



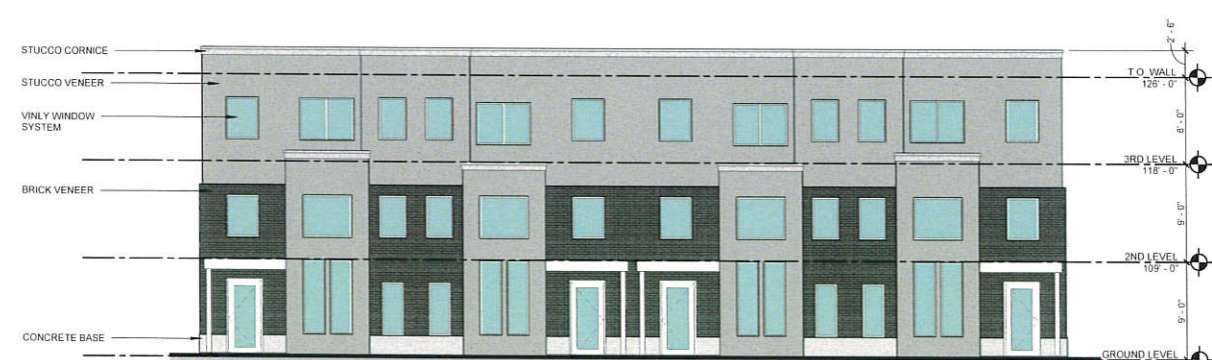
04 NE BUILDING - EAST ELEVATION
 1/8" = 1'-0"



03 NE BUILDING - SOUTH ELEVATION
 1/8" = 1'-0"



02 NE BUILDING - WEST ELEVATION
 1/8" = 1'-0"



01 NE BUILDING - NORTH ELEVATION
 1/8" = 1'-0"

**2ND & MAIN
 DEVELOPMENT**
 220 NORTH MAIN STREET
 BOUNTIFUL, UT

STAMP

REVISION NO	DESCRIPTION	DATE

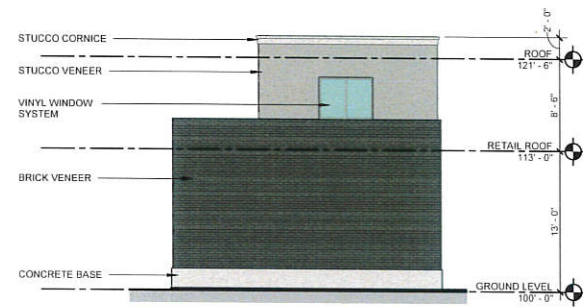
DATE
06/10/19
 ISSUE

SHEET TITLE
**EXTERIOR
 ELEVATIONS NE
 BUILDING**
 SHEET NO

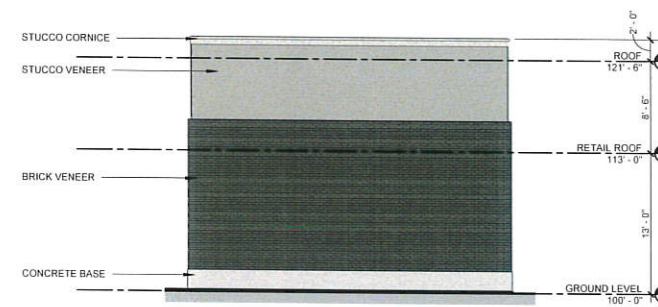
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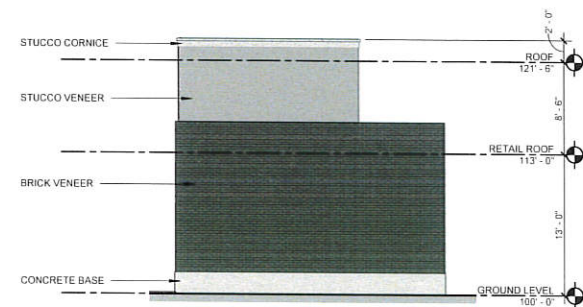
05 PERSPECTIVE VIEW



04 NW BUILDING - SOUTH ELEVATION
 1/8" = 1'-0"



03 NW BUILDING - EAST ELEVATION
 1/8" = 1'-0"



02 NW BUILDING - NORTH ELEVATION
 1/8" = 1'-0"



01 NW BUILDING - WEST ELEVATION
 1/8" = 1'-0"

STAMP

REVISION NO.	DESCRIPTION	DATE

DATE
06/10/19
 ISSUE

SHEET TITLE
**EXTERIOR
 ELEVATIONS
 NW BUILDING**
 SHEET NO

A5.04

Commission Staff Report

Item #s 4 & 5

Subject: Preliminary Site Plan approval for an expansion of the Denominational and Private School
Author: Curtis Poole, Assistant City Planner
Address: 1793 South Orchard Drive
Date: July 2, 2019



Description of Request:

The applicant, St. Olaf Catholic Church and School, requests preliminary site plan approval for an expansion of their private school, located at 1793 South Orchard Drive. The property is located in the R-4 (Single Family Residential) zone.

Background and Analysis:

The property is zoned R-4 and is surrounded primarily by the single-family uses. St. Olaf Catholic School and Church are located on 7.207 acres (approximately 313,936 square feet) at the intersection of Orchard Drive and 1800 South. Construction on the existing school began in 1959 with the first classes starting in 1960. The school provides Kindergarten through 8th grade classes.

The proposed expansion will allow for construction of a multipurpose room, kitchen, additional classrooms and entry to the school. The school currently does not have a cafeteria or kitchen and students eat lunch at their desks. The proposed expansion will be to the east of the existing school on what is now a hard surface playground and parking area. In addition to the building the applicant is proposing revisions to their entrances, parking and landscaping plans.

The expansion will move the main school entry further to the east and which will give it more prominence. The applicant will revise the entrances to the school and create a smoother traffic flow for pick-up and drop-off. The parking lot to the west of the existing school will be modified to create a landscape buffer between the sidewalks on Orchard Drive and 1800 South and the parking lot. A new parking lot is being proposed to the south of the proposed expansion with additional parking being added to the west of the expansion. Parking for this property is a shared use between the school and church.

A new storm water retention system will be added as part of the expansion to resolve issues with drainage. Modification to the proposed drain line from the proposed upper parking lot will need to be made to better align it with the lower parking lot drain line.

As part of the approval process the applicants will be required to contact and receive approval from the State Fire Marshall, and possibly will need to have a sprinkler system installed on the expansion and retrofit a sprinkler system on the existing school. The proposed driveway on the north of the school will need to be a minimum width of 20 feet for fire access.

Department Review

This proposal has been reviewed by the Engineering, Power, and Planning Departments and by the Fire Marshall.

Significant Impacts

As construction proceeds there will be impacts to traffic flow, primarily along 1800 South as new utility connections are made. Since the property has been in use for years there will be little impact to the surrounding neighborhoods, public utility and transportation systems.

Recommended Action

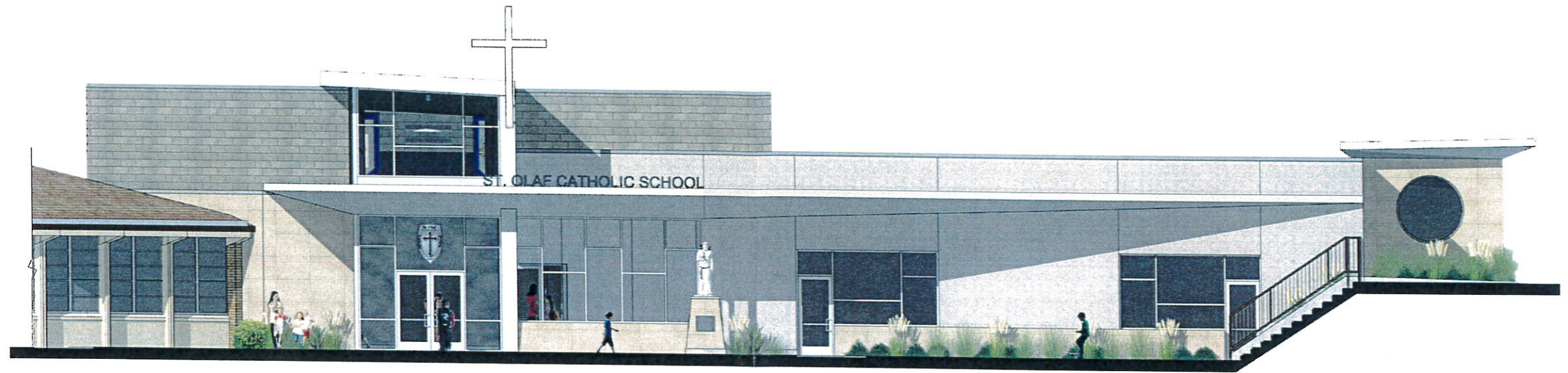
Staff recommends the Planning Commission forward a recommendation of approval to the City Council for preliminary site plan review for the proposed expansion of the Denominational and Private School subject to the following conditions:

1. Complete any and all redline corrections.
2. Receive approval from the State Fire Marshall.
3. Prior to final site plan review provide a detailed landscaping plan.
4. Prior to issuance of the building permit, resolve any concerns with Bountiful City Light and Power regarding connections to the property.

Attachments

1. Aerial photo
2. Site and utility plans
3. Building elevations





WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION