

**Bountiful City**  
**Planning Commission Minutes**  
**September 3, 2019**

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

Excused: Chair – Sean Monson and Planning Commission Member – Sharon Spratley

**1. Welcome and Introductions.**

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

**2. Swearing in of Sam Bawden, new Planning Commission Member.**

Shawna Andrus, City Recorder swore Sam Bawden in as Bountiful City Planning Commission Member. Mr. Sam Bawden took his place with the Commission at the table.

**3. Approval of the minutes for August 20, 2019.**

Jim Clark made a motion to approve the minutes for August 20, 2019 as written. Jesse Bell seconded the motion. Voting passed 5-0 with Commission members Bawden, Bell, Clark, Higginson, and Hill voting aye.

**4. PUBLIC HEARING – Consider approval for a Conditional Use Permit for Tri-line Apartments, a multi-family dwelling located at 170 North 100 West, Jonathon Blosch, applicant.**

**5. Consider Final Site Plan review approval for Tri-line Apartments, a multi-family dwelling located at 170 North 100 West, Jonathon Blosch, applicant.**

Jon Blosch was present. Francisco Astorga presented the staff report.

The applicant, Jonathon Blosch, requests Conditional Use Permit and Final Site Plan Approval for a 3-unit Multifamily Development located at 170 North 100 West. The property is located within the DN (Downtown) Mixed-Use zone. The Applicant received Preliminary Site Plan approval from the City Council at its July 23, 2019 meeting. The property is on the western edge of the DN zone which borders single-family residential to the west. The property has a commercial use to the north and south of the property, and a DCFS facility to the east. The property is .25 acres (approximately 10,933 square feet) and currently has a single-family home on the lot.

The Applicant has submitted elevation plans showing a mix of brick and stucco, with articulations providing relief from large expanses of flat walls. The proposal is for a two-story building which will not exceed the 35 feet maximum standard for the DN zone. Each unit will have a patio or balcony as required by code. The Applicant is proposing a single sidewalk along with landscaping and other architectural features which will connect the front entrances to 100 West. The Code specifies that entrances facing a public street should demonstrate a level of prominence consistent with the standards of the DN zone.

The proposed building meets setback requirements. The Applicant has submitted a preliminary landscaping plan showing the development will meet the minimum landscaping standards for the DN zone; however, the Applicant will need to submit a detailed final landscaping plan for approval before the issuance of a building permit.

After the discussion with the Planning Commission the Applicant has modified the floorplans to show three 2-bedroom units with a shared storage space on the ground floor to the rear of the building. The revision to the floorplan reduced the number of parking stalls needed from 8 to 7. The proposal shows a total of 7 parking stalls which will be located behind the building and 3 of the spaces will be covered.

Prior to the issuance of a Certificate of Occupancy the Applicant will need to repair any damage to the curb, gutter and sidewalk along 100 West, and construct a new drive approach. Bountiful Power will require a 7 foot utility easement along the south side of the property.

Staff recommends the Planning Commission approve the Conditional Use Permit and forward a recommendation of approval to the City Council for Final Site Plan review for the proposed 3-unit Multi-family building subject to the following conditions:

1. Complete any and all redline corrections.
2. Submit a final landscaping plan meeting the minimum requirements of Sections 14-16- 104 and 14-7-109.
3. All damaged curb, gutter and sidewalk along 100 West shall be replaced.
4. Resolve concerns regarding storm water retention to the satisfaction of the City Engineer.
5. Sign a Development Agreement.
6. Pay fees and post an acceptable bond in the amount determined by the City Engineer.

Vice Chair Hill opened the **PUBLIC HEARING** at 6:40 p.m.

Randall Edwards has an office at 188 N 100 West. Mr. Edwards stated that area should be a business area and not include multi-family as this would change the character of the area. He is opposed to the project.

Tanya Bascom resides at 195 N 100 East. Ms. Bascom is disappointed that not all the neighbors received the mail out. She loves the neighborhood and the historic downtown. She feels that the neighbors would not like to have more apartments. She stated that existing apartments in the City are not being filled with renters and they are standing empty. She also cited the definition of Conditional Use Permit from the Bountiful City Land Use.

Julie Crandall resides at 286 E 1300 N. Ms. Crandall stated the safety that she feels in this area and is concerned for was multi-family projects will bring.

Jackie Lamb resides at 1510 N 100 W. Ms. Lamb discussed the problems with the existing apartment complex behind her home; noise, parking, car alarms ringing, fire alarms ringing, and privacy. She is not in favor of this project.

Vice Chair Hill discussed that this area is zoned to allow multi-family and this meeting is set up to discuss the Conditional Use Permit and any conditions specific for this site that would be placed on this

project to mitigate any negative impacts.

Shawn Jacobs resides at 153 N 100 West. Mr. Jacobs stated that there are too many multi-family already in the area and is not in favor of the project

Brian Myers resides at 448 W 3400 South. Mr. Myers spoke in favor of this project and didn't feel that this project is going to affect the neighborhood. He stated that the property owner has the right to build on his property as long as it meets the required City Code which may not always be what the neighbors would like.

Vice Chair Hill closed the **PUBLIC HEARING** at 7:05 p.m.

Mr. Astorga stated that the language from Bountiful City Code and State Code states that a Conditional Use Permit shall be approved with conditions placed on the project.

Jon Blosch discussed the size of the building will be 3 2-bedroom units and will have 7 parking spaces behind the building. Mr. Blosch stated that he has tried to make the project look like a home and is similar to other homes in the area.

Mr. Bawden discussed the conditions that staff had outlined. Mr. Astorga stated the landscaping requirements are discussed at the building permit stage. He discussed the Landscape code and noted the allowed uses for this area.

Mr. Blosch stated that the plans for the storm drain have been discussed. His property will have a connection to the storm drain as approved by the Engineering department.

Mr. Higginson addressed Ms. Bascom's concerns about the multi-family development. In 2018, there was a process that revised the Downtown plan. This plan changed the zoning of a portion of the area to Single-Family and reserved some of the area to remain as Multi-family with tighter requirements and added restrictions on designs including size of project. The proposed project falls within the requirements set forth for this zone.

Mr. Astorga discussed the list of other permitted uses for this property other than the Multi-family.

Jesse Bell made a motion to approve the Conditional Use Permit for Tri-line Apartments, a multi-family dwelling located at 170 North 100 West, with the six conditions outlined by staff. Jim Clark seconded the motion. Voting passed 5-0 with Bawden, Bell, Clark, Higginson and Hill voting aye.

Jesse Bell made a motion to forward a recommendation of approval to the City Council the final site plan review approval for Tri-line Apartments, a multi-family dwelling located at 170 North 100 West as outlined by staff. Jim Clark seconded the motion. Voting passed 5-0 with Bawden, Bell, Clark, Higginson and Hill voting aye.

**6. PUBLIC HEARING- Consider changing the zoning designation of C-G to RM-13 located at 1265 north Main, Bryon Prince, applicant.**

Bryon Prince was present. Francisco Astorga presented the staff report.

The applicant, Ivory Homes, is proposing a Zoning Map Amendment to amend the zoning on three parcels, which total 3.84 acres, from the General Commercial Zone (C-G) to Multiple-Family (RM-13) Residential Zone. The parcels are located at approximately 1265 and 1295 North Main Street. The Planning Commission has authority to review requests for amendments to the zoning map and forwards a recommendation to the City Council for Final Action. The Commission shall review the request according to the provisions contained within the Administrative Chapter of the Bountiful City Land Use Ordinance particularly, 14-2-205.

The proposed amendment to the zoning map includes three properties owned by Ivory Homes. All three properties will be combined into one parcel for the purpose of a future development should the zoning map amendment be approved. The first property is 1265 North Main Street, which currently has a single-family home and an orchard behind the home, and is 1.17 acres. The second property is 1295 North Main Street, which is the current location of Bountiful RV, and is 2.65 acres. The third property is a smaller parcel to the north of the second property, and is 0.011 acres. All three properties are currently in the C-G Zone. The properties are bordered by RM-13 Zone on the south, R-4 Zone on the east, R-4 and C-G on the north, and Viewmont High School and a Bountiful City Power substation to the west, both in the R-4 Zone.

The Applicant is requesting the amendment to the zoning map in order to develop a residential subdivision on the property which would include a mix of townhomes and single-family homes. The Applicant submitted a conceptual drawing which shows 12 townhomes fronting Main Street with 22 single-family homes behind the townhomes. The proposed single-family homes would border the existing single-family homes directly to the north providing a transition between the higher density townhomes and the existing neighborhood.

The parcels border Main Street, which provides accessibility to public transportation. Placing higher density homes near key public transportation corridors such as Main Street is an appropriate use of the parcels and is consistent with conventional planning practices. It is also consistent with recent legislation passed by the Utah Legislature regarding housing and transportation. In reviewing this application it is also important to consider the limited amount of commercial zoning districts within Bountiful and how these parcels may serve the City and its residents. Approving the amendment to the zoning map will decrease available land for potential commercial developments and the Commission should review this potential effect.

Based upon the above analysis, staff recommends the Planning Commission forward a recommendation of approval to the City Council for the properties located approximately at 1265 and 1295 North Main Street to be rezoned from General Commercial (C-G) Zone to Multiple Family (RM-13) Residential Zone.

Mr. Astorga discussed the permitted use for both the General Commercial and the Multi-family zones and the permitted use for Conditional Use Permit and presented the conceptual plan from the applicant to the Planning Commission. Based on the Multi-family code, 51 units could be put on the site.

Mr. Higginson asked about the assurance that the units for the conceptual plan would not increase. Mr. Drake stated that a legal agreement could be added if the applicant agrees.

Vice Chair Hill opened the **PUBLIC HEARING** at 7:34 p.m.

Verlon Duncan resides at 1330 N 200 East. Mr. Duncan spoke about the possible legal agreement with the assurance of the number of units that will be built. He asked about the setbacks that would be applicable to this development. Mr. Astorga stated that the current setbacks do have to be met for this new project. Mr. Duncan is concerned about pedestrian crossing of Main St. Commission stated that Main Street is a state road and is a partnership between Bountiful City, Davis School District and Utah State.

Kathy Goodfellow resides at 215 W 1850 North in Centerville. Ms. Goodfellow owns the orchard to the west. She would prefer to see the property rezoned as Single Family (R-4) as the surrounding areas but feels that the RM-13 is a huge improvement. She would like to see Ivory Homes keep the conceptional plan and not increase the number of units.

Pam Hilton resides at 1350 N 150 West. Ms. Hilton is in favor of this project if it is based on the conceptional plan and would like to have a written commitment from Ivory Homes. She would like to see the property rezoned as Single Family R-4 and would like to see larger lots, but feels the Multi-Family (RM-13) is an improvement.

Lynn Millis resides at 41 W 1350 North. Ms. Millis also would like to see Single Family (R-4) instead of Multi-Family (RM-13) but feels that this is better than the current Commercial zone. She is concerned about the removal of the berm behind the fence and flood protection from the canal. and would like to see something different

Beau Brewer resides at 1290 N Main. Mr. Brewer stated he feels that this is a good project but would like to have a legal agreement. He is concerned about the traffic which could impact the existing homes.

Lynda Loveless resides at 1389 N 100 West. Ms. Loveless is concerned about "mystery creek" which has caused flooding issues in the past and is concerned about the disruption of the existing French drains and pumps that have been put into place to take care of the problem. She is very concerned about the extra traffic on Main and Concerned about the bus crossing.

Eric Larson resides at 1448 N 100 West. Mr. Larson is concerned about the traffic plan with the addition of 70 cars from this project and the crossing of Main Street. He stated his concern about the reduction of Commercial property in Bountiful.

Gary Davis resides at 2814 S 500 West. Mr. Davis stated that procedure for this item is only the rezone from Commercial (C-G) to Multi-family (RM-13). He asked staff for the meetings and approvals that would be associated with this item.

Mr. Astorga stated that this project will have meetings and approvals including a Conditional Use Permit, Site Plan and Subdivision meetings and approvals to go thru Planning Commission and City Council before the project would be ready for a building permit.

Todd Hilton resides at 67 W 1350 North. Mr. Hilton asked for clarification about the meetings for the approval of the Single Family part of the project.

Mr. Astorga stated that the Conditional Use Permit would be brought forward from the applicant and then would be placed on the Planning Commission agenda.

Vice Chair Hill closed the **PUBLIC HEARING** at 7:59 p.m.

Bryon Prince addressed the Planning Commission about the proposed application. He discussed the site and the development showing the proposed concept plan and the number of units that was proposed. Ivory Homes would be amiable to an agreement if it would be necessary for the approval of the rezone.

Jesse Bell asked if the applicant has done any projects like this in Bountiful. Mr. Prince was not aware of any project like the proposed project. Mr. Bell wanted more info about the size of the home and garage. Mr. Prince replied that the garage would be a 2 car garage with a driveway for 2 additional cars and visitor parking will be contained on the property and would not spill out onto Main. The square footage of the homes will be approximately 2100-3000 sq ft and the height of 35 feet. The project is proposed as an HOA.

There was discussion about the concern for possible flooding. Mr. Cheney stated that the new flood maps should be released and the modeling that has been done will be looked at the end of the month. The majority of the channel improvements were put into place after the flooding of 1983.

Mr. Drake discussed a potential development agreement. The applicant does still need to meet all codes during the site plan review process.

Mr. Higginson wanted to let the citizens know that the project that the developer is bringing is not rental homes. He also thanked the developer for being open to the possibility of a development agreement.

Richard Higginson made a motion to forward to the City Council an approval for the zoning change designation of C-G to RM-13 located at 1265 North Main with the conditions outlined by staff and discussed and an additional condition that a development agreement or conditional approval with Ivory Homes be written so that the concept plan will be built as substantially proposed. Jesse Bell seconded the motion. Voting passed 5-0 with Bawden, Bell, Clark, Higginson and Hill voting aye.

#### **7. Planning Director's report, review of pending applications and miscellaneous business.**

1. Sam Bawden gave a brief history about himself.
2. Next meeting is September 17, 2019 with two Variances on the agenda.

Vice Chair Hill ascertained there were no other items to discuss. The meeting was adjourned at 8:34 p.m.

  
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Francisco Astorga, Planning Director