

# BOUNTIFUL CITY PLANNING COMMISSION AGENDA

Tuesday, January 5, 2021 6:30 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Planning Commission will hold a meeting in the Conference Room, South Davis Metro Fire Station, 255 S 100 W, Bountiful, Utah, 84010, 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
- 2. Election of Chairman and Vice Chairman of the Planning Commission for 2021
- 3. Approval of the 2021 Planning Commission Meeting Calendar
- 4. Approval of the minutes for December 1, 2020
- 5. City Power Lofts Preliminary/Final Architectural and Site Plan Review, located at 200 South 200 West, Knowlton General, applicant *City Planner Curtis Poole* 
  - a. Review: Preliminary and Final
  - b. Action: Consider forwarding a recommendation to the City Council
- 6. Planning Director's report, review of pending applications and miscellaneous business

# Planning Commission Staff Report



**Subject:** Election of Planning Commission Chairperson and Vice-Chair

**Authors:** Francisco Astorga, AICP, Planning Director

**Date:** January 05, 2021

#### **Background**

Under Bountiful City Land Use Code Section 14-2-102(C)(1) below, the Planning Commission elects a chairperson and vice-chair that serves for one (1) year.

C. Organization and Procedure. The Planning Commission shall be organized and exercise its powers and duties as follows:

- 1. Members of the Planning Commission shall select one (1) of its members as chair to oversee the proceedings and activities of the Planning Commission.
  - a. The chairperson shall serve for a term of one (1) year.
  - b. Members of the Planning Commission shall select one (1) of its members as vice-chair to act in the absence of the chair. The chair and vice-chair may be reelected for successive terms.

#### Analysis

It is now time to select the 2021 Planning Commission chairperson and vice-chair as their appointment expired in 2020.

#### **Significant Impacts**

There are no significant impacts from this procedural action.

#### Recommendation

It is recommended that the Planning Commission select a chairperson and vice-chair via motion, second, and vote.

#### **Attachment**

1. None

# **Planning Commission Staff Report**



**Subject:** Public Notice of Planning Commission's 2021 Meeting Schedule

**Authors:** Francisco Astorga, AICP, Planning Director

**Date:** January 05, 2021

#### **Background**

Under Utah Code <u>Section 52-4-202</u> of the Utah Code (in the Open & Public Meetings Act), the Planning Commission "shall give public notice at least once each year of its annual meeting schedule," and "shall specify the date, time, and place of the scheduled meetings."

#### **Analysis**

The Planning Commission is to meet on a regular basis, as determined by a vote of the members, and at such other times as Commission members may determine. Staff recommends maintaining the current schedule of meeting on the first (1st) and third (3rd) Tuesday of every month.

The Public Notice given here announces that Bountiful City Planning Commission meetings "shall take place the first (1st) and third (3rd) Tuesdays of each month."

#### **Department Review**

This Public Notice has been reviewed by the City Attorney.

#### **Significant Impacts**

There are no significant impacts from this action.

#### Recommendation

It is recommended that the Planning Commission approve the Public Notice of Bountiful City Planning Commission Meetings in 2021, and meet on the first  $(1^{st})$  and third  $(3^{rd})$  Tuesdays of each month.

#### **Attachment**

1. Public Notice of Bountiful City Planning Commission 2020 Meetings

#### PUBLIC NOTICE

Pursuant to UCA 52-4-202(2), the City of Bountiful Planning Commission hereby gives public notice of its annual meeting schedule for 2021. Regular meetings of the Planning Commission shall take place the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Tuesdays of each month, unless otherwise advertised by legal notice. All Planning Commission meetings shall be held at the South Davis Metro Fire Station 81, 255 South 100 West, Bountiful, Utah 84010 until further notice or unless otherwise advertised. The meetings will begin promptly at 6:30 p.m.

All meetings of the Planning Commission shall be open to the public.

In addition to the above scheduled regular meetings, the Planning Commission may, from time to time, meet in special sessions as needed, and such meetings will be advertised by legal notice to the public in accordance with UCA 52-4-202.

Dated this 30th day of December 2020.

Francisco Astorga	
Planning Director	

Present: Commission Chair Sean Monson

Commission Members Sam Bawden, Jesse Bell (vice-chair), Jim Clark, Lynn Jacobs,

Sharon Spratley, and Councilwoman Kendalyn Harris

City Attorney
City Engineer
Planning Director
City Planner
City Planner
Recording Secretary
Clinton Drake
Lloyd Cheney
Francisco Astorga
Curtis Poole
Darlene Baetz

#### 1. Welcome and Introductions

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

### 2. Approval of the minutes for October 20, 2020

Commissioner Spratley made a motion to approve the minutes for October 20, 2020 with corrections made to page 2 line 34 and 38 adding that they were opposed to the change in the code and to page 4 line 30 should read "Commissioner Spratley stated that she likes the midpoint measurement of the structure wall on the side the accessory structure is proposed to be built." Commissioner Bawden seconded the motion. Voting passed 7-0.

#### 3. Approval of the minutes for November 17, 2020

Commissioner Harris made a motion to approve the minutes for November 17, 2020 with corrections made. Commissioner Jacobs seconded the motion. Voting passed 7-0.

# 4. Final Architectural and Site Plan review of a mixed-use development, The Brooks, located at 220 North Main St, Justin Atwater, applicant

Justin Atwater and Phil Holland were present. City Planner Poole presented the item.

 The applicants were granted a variance to allow parking over the creek with a condition that the project have an architectural wall built in conceal the parking spaces. Preliminary Site Plan was approved by Planning Commission and City Council. The applicants have made several changes including the removal of one unit and three parking spaces allowing additional landscaping and the removal of three parking stalls. The City code requires 10% landscaping, and the proposed plans has been increased to 17%. The submitted parking study requires a maximum of 34 spaces with the proposed plans having 38 parking spaces. The garage parking spaces will be under the living spaces. There has been a large amount of brick added which compliments the design and keeps with the theme of the Downtown area. Commercial/retail space will be in front with the parking in the rear with the parking entrances off 200 North. The Commercial area will have large windows and the recesses in the living area. Development in the downtown zone has restrictions for commercial and residential development. The applicants have done a great job with buffering the area for future projects.

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City Planner Pool indicated that Staff recommends the Planning Commission forward a positive recommendation to the City Council for final architectural and site plan review for the mixed-use residential and commercial development subject to the following conditions:

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- 1. Complete any and all redline corrections.
- 2. Receive any submit to the City necessary approvals from Davis County and FEMA regarding the easements of the creek and development of the property.
- 3. Prior to the issuance of the building permit parcels shall be consolidated and any proposed property boundary adjustments be completed.
- 4. Receive conditional use approval by the Planning Commission for the multi-use residential component of the development.

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Commissioner Bawden asked for a correction to condition 3 to read "Receive any and submit..."

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Commissioner Spratley made a motion to forward a positive recommendation to City Council with the five (5) conditions outlined by staff. Commissioner Bawden seconded the motion. Voting passed 7-0.

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5. PUBLIC HEARING – Consider approval of a Conditional Use Permit for a mixed-use development, The Brooks, located at 220 North Main St, Justin Atwater, applicant.

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Justin Atwater and Phil Holland were present. City Planner Poole presented the item. City Planner Poole indicated that the City code requires any multi-family development in the downtown zone to receive a Conditional Use Permit approval. Staff recommends approval of the Conditional Use Permit for the proposed multi-family residential use in the Downtown (DN) zone subject to the two conditions.

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1. Complete any and all redline corrections.

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2. Receive final architectural and site plan approval from City Council.

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Mr. Holland thanked the Planning Commission members for the positive feedback from the previous meetings and feels that the comments have made for a great project. He clarified that the elimination of several parking stalls will allow for more landscaped area. The wall between the two Main Street buildings will have an opening for pedestrian access. The wall will have three separate garden walls with vegetation growing on it. Commissioner Bell thanked the applicants.

Chair Monson opened and closed the public hearing at 6:55 p.m. without any comment.

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City Planner Poole stated that the driveway entrance will come off 200 North and will not be off Main Street. Commissioner Bawden spoke about the concern of the size of the ADA parking space.

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Commissioner Jacobs made a motion to approve the Conditional Use Permit with the two (2) conditions outlined by staff. Commissioner Bell seconded the motion. Voting passed 7-0.

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6. PUBLIC HEARING – Consider forwarding a recommendation to the City Council amending the Bountiful City Land Use Code regarding Temporary Sales Offices in the residential zones.

47 48 Shawn Poor, representing Brighton Homes was present. City Planner Poole presented the item.

City Planner Poole indicated that this item was initiated by Brighton Homes as they have requested a text amendment to allow a temporary sales office in the residential zones. Staff has done research with ten (10) cities in Utah. Out of the ten (10) cities only two (2), Farmington and Bountiful, mentioned anything about sales trailers and it was to expressly prohibit them. Bountiful City does allow model homes but not temporary sales offices. Approval of this text amendment would make changes across all the residential zones. Placing a temporary sales office on site would likely be in a potentially landscaped area which would not allow the completion of the landscaping. The applicant is proposing that the text amendment should read:

Temporary sales office in trailers. Temporary sales offices incidental to a specific residential project may be located on the site of such a project. The trailer may remain for the duration of the project and shall be removed within thirty (30) days after substantial completion of the project.

The current code states the following:

3. Temporary sales offices in trailers. Temporary sales offices located in a trailer or other portable structure for the sale or lease of property in a subdivision, an apartment complex or planned unit development is prohibited.

City Planner Poole indicated that Staff recommends the Planning Commission reviews and consider forwarding a negative recommendation for an amendment to the Land Use Code to allow temporary sales offices in trailers within residential zones.

Chair Monson opened and closed the public hearing at 7:19 p.m. as no one made any comment.

Mr. Poor advocated for the need for the temporary sales trailer on site. The sales office trailer is made to look like a tiny home and is typically placed on the site of the last building to be built. This allows the model home to be built before the sales trailer is removed which would not replace a construction trailer and is used for sales traffic.

Planning Director Astorga discussed that in Bountiful tiny homes are allowed as long as they have a permanent foundation and that they are hooked up to typical utilities. Tiny homes are allowed as typical single-family dwellings and not as temporary residential structures. City Engineer Cheney stated the difference between real property and personal property. Real property which is attached to the earth and personal property is more like a tough shed and can be moved around.

Planning Director Astorga stated the code was changed in 1993 to expressly forbid temporary sales (offices) trailers. He noted that a Conditional Use Permit is an allowed use and could be used to accommodate and regulate the approval of a temporary sales trailer. Staff did not find any compelling evidence to go in this direction and felt that the negative recommendation is the best.

Commissioner Spratley was surprised to see a negative recommendation from staff because the sales trailers could be beneficial and helpful and does not see a negative impact. City Planner Poole noted that he did not find any negative impacts with the cities that were researched.

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 City Engineer Cheney stated that in looking at past projects Staff does see potential negative impacts during construction on small lots with construction parking and then adding a temporary sales trailer. This could be a problem as it impedes traffic and could impact neighbors.

Chair Monson indicated feels that temporary trailers make sense on large sites but would prefer a time limit.

Commissioner Clark indicated that he agrees with staff members and the negative recommendation.

Commissioner Bawden stated that he believes the text change is for a business strategy. He feels that the current code is working and wonders how this text amendment will benefit Bountiful and not just the developer as he did not find compelling evidence to make the change.

Commissioner Clark made a motion to forward a negative recommendation to the City Council for the proposed Land Use Text Amendment allowing Temporary Sales Offices in Trailers in Residential Zones. Commissioner Bawden seconded the motion. Voting passed 4-3 with Commission members Bawden, Clark, Jacobs, and Monson voting aye; and Bell, Harris, and Spratley voting nay.

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

- 1. Next Planning Commission meeting is January 5, 2021.
- 2. Possible omnibus amendments will take place in January.
- 3. City Hall Report by City Engineer Cheney: Final inspection will be before end of year with no date set for the employees to move in.
- 4. Commissioners would like to have a work session for a possible vision for the Downtown zone and update Downtown Master Plan.
- 5. The Planning Department applied for a grant with WFRC/TLC Program to receive funding for a City-Wide General Plan Update.
- 6. The State Legislature is considering changing the State Code which would require Planning Commission members to receive training during the year.

Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 7:53 p.m.

Sean Monson
Planning Commission Chair

## Planning Commission Staff Report

**Subject:** City Power Lofts Preliminary and Final

Architectural and Site Plan for a Mixed-Use

Residential and Commercial/Office Development

**Author:** Curtis Poole, City Planner

**Address:** 189 South 200 West **Date:** January 5, 2021



The Applicant, Randy Beyer representing Knowlton General, LC, requests preliminary and final architectural and site plan review for a mixed-use residential and commercial/office development located at 189 South 200 West. The property is located within the MXD-R (Mixed Use Residential) Sub-Zone and is bordered by commercial uses to the north, the City Light and Power buildings to the south and west and a multi-family residential use to the east. The property is currently vacant.

The proposed plan shows a vertical mixed-use multi-family residential and commercial/office development consisting of one (1) three-story building. The ground floor will have 1,200 square feet of commercial/office space with entrances facing 200 West. There will be a total of twelve (12) residential units, consisting of eight (8) 1-bedroom units and four (4) 2-bedroom units, located on the second and third floors.

The Planning Commission reviewed a zone change request by the Applicant on June 2, 2020 and forwarded a positive recommendation to the City Council on a 7-0 vote. On June 16, 2020, the City Council reviewed and approved the zone change request on a 5-0 vote. The approval changed the zoning from C-G (General Commercial) to MXD-R.

### **Analysis**

The property is located at the corner of 200 West and 200 South and is 0.5 acres (21,791 square feet). The proposed development will be located to the south of an existing Maverick convenient store, to the east and north of Bountiful City Light and Power and west of an existing multi-family development. Bountiful Light and Power has indicated they are opposed to the development name of "City Power Lofts," as they felt it would be confusing to residents.

Plans show the proposed building will consist of three levels. Most of the façades visible along 200 West will be brick with a mix of vertical siding. The rear of the building (facing east) will be stucco with a mix of vertical siding. The mass of the building is broken up by the extensions of the residential balconies and larger windows. The architectural elements proposed by the Applicant meet the standards in the Code and compliment the Bountiful Light and Power building to the south and set a standard for redevelopment along 200 West.



The Mixed-Use Zone permits the development plan to set the standards of development for items such as, setbacks, building height and parking, or utilize the development standards of the underlying zone, in this case the C-G Zone. The development standards for this project were presented to the Commission and Council during the zone change review. The proposed building will be twenty feet (20') from the west and south property lines and the covered parking to the north of the building will be ten feet (10') from the north property line. The building will not exceed thirty-five feet (35') in height.

Based upon off-street parking standards, the development would need twenty-seven (27) stalls for both the commercial/office and residential uses. The proposed development will provide a total of twenty-six (26) stalls, twenty-two (22) of the stalls being covered. The Mixed-Use Zone permits parking to be shared across uses and further provides the City "the right to dictate the amount of parking and/or the location of parking spaces within a project to achieve the objectives of this Code." Staff finds the proposed parking to be adequate based upon the ability to share parking and further finds the need for a parking study unnecessary as it would be easily demonstrated that one (1) parking space can be "shared" between users.

The landscape standards would require the development to provide a minimum of fifteen percent (15%). The Applicant is proposing to exceed this standard by providing roughly thirty-eight percent (38%). A landscape plan has not been provided as part of the application; however, based upon the percentage of landscaping proposed and the proposed amount of street trees shown on the architectural site plan, Staff is comfortable with recommending approval of the site plan with the condition a landscape plan be submitted to be reviewed by Staff in conjunction with the building permit.

The Applicant is also proposing a plaza style entry as part of the development along 200 West and wrapping around the corner to 200 North, counting toward the commercial/office; currently allowed in the Code. The plaza will consist of an interior development sidewalk that will be connected to the existing sidewalk. These sidewalks will be separated with landscaping features such as benches, trees and flower beds.

The MXD-R Zone requires at least fifty percent (50%) and no more than seventy-five percent (75%) to be a residential use. The remaining percentage could be commercial, office, public facilities or entertainment uses. The proposed development shows 1,200 square feet of floor space for commercial/office and 3,130 square feet of plaza space counting toward the commercial/office use. The total square footage of the development, including the plaza, is 16,162 square feet. The percentage of residential use is seventy-three percent (73%) and the commercial/office use is twenty-seven percent (27%), meeting the standards of the Code. The Mixed-Use Code indicates, "percentages are based on the total square footage of floor area within a project and include areas within a structure (floors of a building) and areas on the surface of the land (sidewalks, parks, etc.)."

The Applicant will use the existing drive access on 200 North and will add an additional access to the north of the building along 200 West. The Applicant will need to construct an ADA compliant pedestrian ramp at the corner of 200 West and 200 North. The Applicant

will also provide a trash enclosure matching the building façade on the northeast portion of the development. Bountiful Light and Power has requested an easement of seven feet (7') along the north, south and west property lines.

#### **Department Review**

This proposal has been reviewed by the Engineering, Police, 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. Impacts from the development of this property have been anticipated in the design of the existing storm water, sewer, culinary water and transportation systems. This project has the potential to set the tone and standard for future redevelopment along 200 West.

#### **Recommended Action**

Staff recommends that the Planning Commission forward to the City Council a positive recommendation for the preliminary and final architectural and site plan for the proposed mixed-use commercial/office and residential development subject to the following conditions:

- 1. Complete all redline corrections.
- 2. Record utility easements of seven feet (7') along the north, south and west property lines
- 3. Submit landscape plan to be reviewed by Staff with the building permit application.
- 4. All damaged curb, gutter and sidewalk along 200 West and 200 North shall be replaced.
- 5. Resolve any issues or concerns regarding proposed public improvement construction material and/or methods to the satisfaction of the City Engineer.
- 6. Comply with the City's current storm water requirements for on-site storm water retention and detention facilities.
- 7. Each commercial/office tenant shall apply separately for signage meeting the standards of the Code.
- 8. Pay fees and post an acceptable bond in the amount determined by the City Engineer.
- 9. Sign a Public Improvement Development Agreement.

#### **Attachments**

- 1. Aerial photo
- 2. Architectural Site Plans
- 3. Floor Plans
- 4. Building Renderings and Elevations
- 5. Site Plan
- 6. Utility Plan

### **Aerial Photo**



# **CITY POWER LOFTS**

200 W 200 S, BOUNTIFUL, UTAH 84010 OWNERS: HEPWORTH INVESTMENT GROUP LLC SITE PLAN REVIEW | 12.14.2020

SHEET #	SHEET NAME	
GENERAL		
GI001	COVER SHEET	
AS101 AE101	ARCHITECTURAL SITE PLAN FLOOR PLANS	
AF102	FLOOR PLANS	
AE200	EXTERIOR VIEWS	
AE201	EXTERIOR ELEVATIONS	







FROM CORNER 200W AND 200S (A4)



VICINITY MAP:

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	No.	Description	Date
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CI	TY POWER LOP	

Project Status	SITE PLAN REVIEW		
Project Number	18_0027		
ate	12.14.2020		
rawn by	DJ/		
Checked by	EGE		
GI001			
Scale			













