

Approved Minutes  
**BOUNTIFUL CITY PLANNING COMMISSION**  
**February 16, 2021**

Present:

Commission Chair	Sean Monson
Commission Members	Sam Bawden, Jesse Bell, Jim Clark, Lynn Jacobs (vice-chair), Sharon Spratley, and Councilwoman Kendalyn Harris
City Attorney	Clinton Drake
City Engineer	Lloyd Cheney
Planning Director	Francisco Astorga (excused)
City Planner	Curtis Poole
Recording Secretary	Darlene Baetz

---

**1. Welcome.**

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

**2. Approval of the minutes for February 2, 2021**

MOTION: Commissioner Spratley made a motion to approve the minutes for February 2, 2021 with one correction Commissioner Clark seconded the motion.

VOTE: The motion passed unanimously (6-0).

*Councilwoman Harris arrived at 6:32 p.m.*

**3. Take 5 - Conditional Use Permit for a vehicle service business located at 293 West 500 South, Charles Openshaw, owner**

**4. Take 5 - Consider forwarding a recommendation to the City Council for the approval of an amended site plan for Take 5 located at 293 West 500 South, Charles Openshaw, owner**

Charles Openshaw was present. City Planner Curtis Poole presented the item.

City Planner Poole stated the applicant previously applied for an amended site plan review in 2016 to demolish the Barbacoa building and construct a new 4,000 square foot office building. The site plan was approved with the reduction in parking from 201 to 112 stalls. The applicant did not take any further action for this approval which expired after one year of the approval date. The applicant submitted a Conditional Use Permit and Site Plan Review applications for an express oil change business. Customer will remain in their cars for the oil change. Stacking lanes will be on the south of the proposed building. The proposed plan shows the Barbacoa building to be demolished and replaced with a smaller 1,400 square foot building and be placed closer to 500 South. The properties adjacent to this property are a mix of retail, restaurant and office uses with similar vehicle service uses along 500 West.

The plans show one of the drive accesses from 500 South will be removed and replaced with curb, gutter, and sidewalk. The applicant will be working with UDOT for permission since this portion of 500 South is a UDOT facility.

The plan included redesigned parking stalls at 90-degree angles with twenty-four (24) foot drive aisles

1 which would improve the parking congestion and currently meet parking demands. The new building  
2 will be placed closer to 500 South and will accommodate five (5) additional parking stalls and would  
3 make the ADA stalls compliant with current standards. The applicant did receive a parking study  
4 which indicated a peak parking demand of ninety-one (91) vehicles. There is not a cross-parking  
5 agreement between the other properties at this location (Chase Bank and Panda Express). The peak  
6 for all sites was observed at 130 stalls with 201 total stalls available. The study does indicate that the  
7 adjacent properties should not be included in parking counts for the 5<sup>th</sup> South Plaza and observed  
8 patrons did not stay within the property lines of these sites. The parking study is based upon current  
9 uses and any change in uses to 5<sup>th</sup> South Plaza in the future may require an additional parking study.

10  
11 The proposed site plan meets all the standards of the Code for the architectural design. The current  
12 and proposed landscape does not meet current code for the landscape requirement. The removal of  
13 the access to 500 South will increase the proposed landscaping with additional trees and shrubs. The  
14 applicant proposed to add additional trees next to Panda Express which will be above the number of  
15 trees required by code.

16  
17 City Planner Poole recommended that the Planning Commission approve the Conditional Use Permit  
18 and Site Plan Approval with the following conditions:

19  
20 Conditional Use Permit conditions of approval:

- 21 1. Prior to applying for a building permit the Applicant shall:
  - 22 a. Show plans to add one (1) street tree between the two (2) proposed drive accesses on 500  
23 South.
  - 24 b. Add shrubs or additional plant material to the landscape buffer between 5<sup>th</sup> South Plaza and  
25 the Panda Express property.

26  
27 Site Plan Review conditions of approval:

- 28 1. Complete all redline correction.
- 29 2. Coordinate final easement location with Bountiful Light and Power.
- 30 3. Dumpster enclosure shall match the building material of the proposed Take 5 Oil Change  
31 building.
- 32 4. Receive construction permits and approvals from UDOT prior to applying for a building permit.
- 33 5. Pay fees and post an acceptable bond in the amount determined by the City Engineer.
- 34 6. Sign a Public Improvement Development Agreement.

35  
36 Chair Monson asked staff if this process should go thru a Variance instead of the Conditional Use  
37 Permit. He noted that this type of approval may set a precedent for other projects. City Planner Poole  
38 noted that the use for this business requires a Conditional Use Permit and would not be approved with  
39 a Variance. The applicant is decreasing the level of non-conforming landscaping and would increase  
40 the number of parking stalls.

41  
42 Commissioner Spratley asked about the level of non-conformity and if the applicant could find a way  
43 to come into compliance. City Planner Poole noted that compliance for landscaping is 15% and the  
44 applicant currently is at 8.8%.

45  
46 Commissioner Jacobs is concerned about the traffic flow and feels that the proposed plans will take  
47 care of the existing traffic problems.

1 Commissioner Bell felt that this project is an improvement to the current issues but does feel it should  
2 be in compliance.

3  
4 City Engineer Lloyd Cheney stated that there would be no way to accommodate 210 stalls on this  
5 site. He did not feel that this site would meet parking even if a the Barbacoa building was removed  
6 and nothing was built in its place.

7  
8 Chair Monson opened the public hearing at 7:02 p.m.

9  
10 Ryan Steward resides at 360 N 100 E and stated that he has frequented this shopping center and felt  
11 that this proposed plan is a good use for this location with the increase of the parking spaces.

12  
13 Chair Monson closed the public hearing at 7:04 p.m.

14  
15 Mr. Openshaw stated that he wanted to make this site better and did not want to keep the same  
16 problems if he kept the existing building. He discussed the proposed changes from 2016 approved  
17 project to the current project. He stated that this site is challenging and felt that this proposed business  
18 is a good fit and would help with the existing parking issues.

19  
20 Commissioners discussed the possibility of additional landscaping that could be obtained to be able  
21 to reach the required 15% on the property. Suggestions were made for the possible increase of  
22 landscaping in the extra triangle areas at the ends of the parking stalls and the exit from the bay.

23  
24 MOTION: Commissioner Spratley made a motion to table this meeting until the next meeting on  
25 March 2 to allow the City Attorney time to obtain answers for questions regarding approving a site  
26 plan that does not meet current code. Commissioner Bell seconded the motion.

27  
28 VOTE: The motion passed unanimously (7-0).

29  
30 **5. Consider approval of a Conditional Use Permit in written form for an Accessory Structure over**  
31 **10% of lot size located at 17 East 1400 South, Kirk Tomas, owner**

32  
33 MOTION: Commissioner Jacobs made a motion to approve the Conditional Use Permit in written  
34 form for an Accessory Structure over 10% of lot size located at 17 East 1400 South. Commissioner  
35 Clark seconded the motion.

36  
37 VOTE: The motion passed (5-2) Commissioner Monson and Spratley had abstained.

38  
39 **6. Planning Director's report, review of pending applications and miscellaneous business**

- 40  
41 1. Future meetings to include an amended Creekside site plan and an amended zone map for  
42 Renaissance Towne Center.

43  
44 Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 7:22  
45 p.m.

46  
47   
48 Sean Monson  
Planning Commission Chair