

**Bountiful City
Planning Commission Minutes
June 19, 2018
6:30 P.M.**

Present: Vice Chair – Von Hill; Planning Commission Members – Jesse Bell, Jim Clark, and Sharon Spratley; City Council Representation – Richard Higginson; City Attorney – Clint Drake; City Planner – Chad Wilkinson; Asst City Engineer – Lloyd Cheney; and Recording Secretary – Julie Holmgren

Excused: Chair – Sean Monson; Planning Commission Member – Tom Smith; City Engineer – Paul Rowland;

1. Welcome and Introductions.

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

2. Approval of the minutes for June 5, 2018.

Jim Clark made a motion to approve the minutes for June 5, 2018 as written.

Richard Higginson seconded the motion. Voting passed 5-0 with Commission members Bell, Clark, Higginson, Hill, and Spratley voting aye.

3. Consider approval of Findings of Fact for denial of a variance to allow for fence height in the front yard setback. The property is located at 99 S 400 East, Heather Mercer, applicant.

Sharon Spratley made a motion to approve the Findings of Fact for denial of a variance to allow for fence height in the front yard setback located at 99 S 400 East as written.

Richard Higginson seconded the motion. Voting passed 5-0 with Commission members Bell, Clark, Higginson, Hill, and Spratley voting aye.

Mr. Wilkinson explained that the Findings of Fact would accompany an explanation of the appeal rights for this item.

4. Consider approval of Findings of Fact for approval of a variance to allow for paving in a corner lot side yard not providing direct access to a garage or carport. The property is located at 1091 S Main St, Oscar and Farrah Valdez, applicants.

Mr. Wilkinson explained that this item was not considered as a direct access to the garage because the applicants had not agreed to close the north driveway. The variance process was needed to be consistent with other inquiries from Bountiful residents.

Jim Clark made a motion to approve the Findings of Fact for approval of a Variance to allow for paving in a corner lot side yard not providing direct access to a garage or carport located at 1091 S Main St as written.

Jesse Bell seconded the motion. Voting passed 5-0 with Commission members Bell, Clark, Higginson, Hill, and Spratley voting aye.

- 5. Consider an amendment to the approved site plan for Mike & Sterling's Flooring America, located at 540 N 500 West, Michael Watkins, applicant. The proposed amendment includes replacement of a masonry trash enclosure with a larger fence enclosure and elimination of 3 parking spaces.**

Michael Watkins was present. Chad Wilkinson presented the staff report.

The applicant, Mike and Sterling's Flooring America, is requesting an amended site plan approval for their building at 540 N 500 West. The property is located within the C-H (Heavy Commercial) zone. The proposed amendment is to construct a new larger trash enclosure on the rear of the building that would eliminate three (3) of the existing parking spaces on site. The proposed trash enclosure would consist of chain link with slats as shown in the photo submitted with the applicant's submittal.

The site plan for the property was approved as part of the Silver Creek Business Park in 2008 with subsequent modifications in 2010. The Silver Creek Business Park encompasses several parcels which share parking and circulation area. The subject property serves as one of the vehicle access points to the State Liquor Store which occupies the property to the east (rear) of the building. When the plan was originally approved a masonry trash enclosure was included and constructed. A photo of that trash enclosure is included with this report. This trash enclosure has proven to be too small and the applicant has removed the enclosure and brought in two large dumpsters to meet the waste disposal needs of the carpet store. Since these dumpsters exceed the original size for the trash enclosure, a new enclosure needs to be constructed. The applicant has indicated that an additional reason to enclose the dumpsters is a desire to keep others from putting garbage into the dumpsters.

Section 14-14-111 requires that outdoor refuse containers be completely encompassed by a solid enclosure that is "architecturally compatible with the main structure(s), equipped with a solid barrier access gate and located on a paved surface." While the Code does not specify a certain material for trash enclosures it does call for a finding that the enclosure is architecturally compatible with the main structure. The original approved trash enclosure consisted of solid masonry walls which was compatible in color and materials to the main building. The proposed enclosure consisting of chain link and slats is not consistent with that original approval or the other trash enclosures on site. In addition, because of the design of the business park, the trash enclosure is highly visible and faces the front entrance of the liquor store building. Therefore a more architecturally compatible enclosure consisting of masonry materials of a consistent type and color to those on the main building is more appropriate. The recommended conditions of approval include a requirement that the enclosure be constructed of masonry material architecturally compatible with the main structure. It should be noted that an enclosure is required for these dumpsters and that continuing to maintain the dumpsters on site without an enclosure is not an option.

The proposal will remove three parking spaces originally approved as a part of the site plan review. Based on the current uses and building square footages, the site has sufficient parking to eliminate the 3 spaces without falling below minimum parking requirements. Parking for the development was originally calculated using the entire Silver Creek Business Park. The last time parking was calculated for the entire development with the construction of the Integrated Wellness building, a total of 137 spaces were required for the development. With the reduction of the 3 spaces the development would

still have 142 spaces which still exceeds the minimum required spaces for the site.

The proposal appears to partially encroach on an existing waterway on the east of the building. This waterway serves as a component of the on-site storm drain system and must not be blocked by the enclosure. Any approved plan must ensure that the enclosure is not located within the waterway.

Staff recommends that the Planning Commission forward to the City Council a recommendation of approval for proposed amendment to the site plan for the revised trash enclosure subject to the following conditions:

1. The trash enclosure shall be constructed of a solid masonry material compatible in color and materials with the existing building.
2. The applicant shall obtain a building permit for the proposed enclosure.
3. The proposed trash enclosure shall not encroach on the existing waterway on the east of the building.

Mr. Watkins stated that the current problem of other people using and filling the dumpster. His business started with one dumpster but has at to then is unable to use the filled dumpster. The business has been working with dumpster companies for possible resolutions and would like to have one dumpster in the trash enclosure.

There was discussion between Commission members, staff and the applicant about the waterway and the best possible materials that could be used for this project, whether it be masonry, chain link, steel or wood walls for the enclosure.

Mr. Clark discussed the possibility for a small business owner to have the flexibility to choose the materials that they would like to use.

Richard Higginson made a motion that the Planning Commission forward to the City Council a recommendation of approval for an amendment to the approved site plan for Mike & Sterling's Flooring America, located at 540 N 500 West with the three conditions outlined by staff.

Sharon Spratley seconded the motion. Voting passed 5-0 with Bell, Clark, Higginson, Hill, and Spratley voting aye.

6. Consider preliminary and final subdivision approval for Slagwood Subdivision located at 371 N 800 East, Bountiful City, applicant.

Lloyd Cheney presented the staff report.

Bountiful City is requesting preliminary and final approval of the Slagwood Subdivision. This one lot subdivision is for the property previously occupied by the Eckman Reservoir at 371 N. 800 East. The reservoir has been removed and filled with an engineered fill and the parcel is ready for the construction of a single family home.

The property, located at 371 No. 800 East contains 0.362 acres including the west half of 800 East Street. This subdivision plat is needed so that the portion of the street included in the property deed can be dedicated to the city, and to create the easements necessary to cover existing utilities. In

addition to the regular utility easements, the plat also provides an easement for Stone Creek, which runs just slightly off the property along the south property line. After the road dedication, the remaining Lot 1 contains 12,355 sq. ft. with just under 115 ft. of frontage. Both of these dimensions exceed the minimum requirements for lots in the R-4 Zone.

The water and sewer services for the lot will be connected to the main lines in 800 East Street. The power, phone, and cable lines are all overhead in the area and already serve the existing lot.

New sidewalk and curb & gutter is being installed by the City as a result of the damage that occurred during the demolition of the tank.

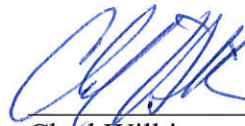
Richard Higginson made a motion that the Planning Commission forward to the City Council a recommendation of approval for a preliminary and final subdivision approval for Slagwood Subdivision located at 371 N 800 East.

Sharon Spratley seconded the motion. Voting passed 5-0 with Bell, Clark, Higginson, Hill, and Spratley voting aye.

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

1. Next Planning Commission meeting – July, 17, 2018.
2. Available training for League of Cities and Towns.

Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 7:17 p.m.



Chad Wilkinson, Bountiful City Planner