



BOUNTIFUL CITY
PLANNING COMMISSION AGENDA
Tuesday, September 7, 2021
6:30 p.m.

NOTICE IS HEREBY GIVEN that the Bountiful City Planning Commission will hold a meeting in the Council Chambers, Bountiful City Hall, 795 South Main, 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. Approval of the minutes for August 17, 2021
3. 171 West 1400 North – Conditional Use Permit for an Accessory Structure Exceeding ten percent (10% of the Lot Area, Brandon Tims, applicant – *Planner Kendal Black*
 - a. Review and Public Hearing
 - b. Action
 - c. Consider drafted approval in written form
4. 1303 South 700 East, Creekside Views Preliminary Subdivision, a 6-lot residential subdivision – *City Engineer Lloyd Cheney*
 - a. Review
 - b. Possible recommendation to the City Council
5. 1545 South Main Street – Thirst Drinks Fast-Food Restaurant with drive-up Conditional Use Permit, Alex Winder, applicant – *Planner Kendal Black*
 - a. Consider drafted approval in written form
6. Adjourn

Draft Minutes of the
BOUNTIFUL CITY PLANNING COMMISSION
August 17, 2021

Present: Commission Chair Sean Monson
Commission Members Sam Bawden, Jesse Bell, Jim Clark, Sharon Spratley and
Councilwoman Kendalyn Harris
City Attorney Clinton Drake (attending via conference call)
City Engineer Lloyd Cheney
Planning Director Francisco Astorga
Asst City Planner Kendal Black
Recording Secretary Darlene Baetz

Excused: Commission Member Lynn Jacobs (vice-chair)

1. Welcome.

Chair Monson opened the meeting at 6:31 pm and welcomed all those present.

2. Approval of minutes for July 6, 2021.

MOTION: Commissioner Spratley made a motion to approve the minutes for July 6, 2021 with one correction on page 5 line 17 “Mr. *Steven Beyer*...”. Commissioner Bell seconded the motion.

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

3. 260 North 500 West – Deseret First Credit Union Zoning Map Amendment from Heavy Commercial to Mixed-Use Professional Office, Brian Knowlton, applicant – Planning Director Francisco Astorga

Brian Knowlton was present. Planning Director Francisco Astorga presented the item.

The west side of the property was re-developed in 2020 as the new site of the Deseret First Credit Union building. The current request is to amend the zoning designation from Heavy Commercial to Mixed-use Professional office for the property. The proposed amended zone change included plans to build 2 3-story buildings with townhouses and artist studios.

Staff does not support the amended zone change at this site because the current Bountiful City General Plan does not support the change. The plan does not include urban characteristics including wide sidewalks and community gathering spaces. Staff recommends the Planning Commission forward a negative recommendation to the City Council because the current proposal does not integrate with the existing structures and layout of the site.

Mr. Knowlton discussed the negative staff recommendation which includes the possible uses for this leftover portion of a parcel of land and noted that he is working with Deseret Credit Union. He feels that several of the design characteristics are subject to the interpretation of Bountiful City staff. He noted that there is a sidewalk but that it does stop at the drive thru area. Mr. Knowlton noted that this proposal is a desire to meet the code.

1 Commissioners discussed the size and safety of the sidewalk. Planning Director Astorga stated the
2 concern that the sidewalk which does not continue thru the drive-thru area.
3

4 Chair Monson opened the public hearing at 6:53 p.m.
5

6 Alan Arbuckle resides at 475 East Pages Lane and the previous owner of the property that First Credit
7 Union is on. He discussed his concern for the safety for individuals wanting to use the sidewalk as
8 they are crossing the parking lot and the driveway needed for the proposed east properties.
9

10 Planning Director Astorga noted there is a driveway with an easement to the south for traffic for the
11 east buildings.
12

13 Chair Monson closed the public hearing at 6:56 p.m.
14

15 Councilwoman Harris asked what objections are more spirit of the law and what objections are more
16 letter of the law. Planning Director Astorga discussed the urban characteristics on page 14 of the
17 Planning Commission packet and noted that the word “shall” does not give the City flexibility and he
18 finds that applicants request doesn’t meet the listed items, for example, they meet the open space
19 percentage but it isn’t a usable space for the proposed development.
20

21 Mr. Knowlton discussed the percentage of the development of the mixed-use zone and noted that the
22 project will have sidewalks on both sides of the property. He feels that these are interpretations and
23 the words that were used was “such as” in conjunction with “shall”. He recognized that the gathering
24 spaces may be a little weak but didn’t believe that he needed all of the items as required. He wanted
25 to get this item before the Commission to allow feedback. He noted that the City Loft project was
26 approved for vertical mixed use and is very similar to this project.
27

28 Commissioner Bawden clarified that staff is using the adopted general plan code from 2009 for the
29 review of this item and that staff is recommending denial of this zone change based only on the
30 current design of this project with the existing building.
31

32 MOTION: Commissioner Spratley made a motion to forward a negative recommendation to City
33 Council. Commissioner Clark seconded the motion.
34

35 VOTE: The motion passed unanimously (6-0).
36

37 **4. 1545 South Main – Thirst Drinks Fast-Food Restaurant with drive-up Conditional Use Permit,**
38 **Alex Winder, applicant – Assistant City Planner Kendal Black**
39

40 *Item 4 was presented along with item 5.*
41

42 **5. 1545 South Main – Thirst Drinks Fast-Food Restaurant with drive-up Preliminary and Final**
43 **Architectural and Site Plan Review, Alex Winder, applicant – Assistant City Planner Kendal**
44 **Black**
45

46 Alex Winder was present. Assistant City Planner Kendal Black presented the item.
47

1 The applicant is requesting a Conditional Use Permit for a change of use from an automobile sales
2 use to a fast-food restaurant with a drive-up use and an approval for a preliminary and final
3 architectural and site plan review. The proposed plan would include a drive-through on the south
4 side with the removal of a masonry wall and the southwest drive access would be closed with
5 landscaping in its place. The drive-thru lanes will be painted, and the current canopies are to remain
6 in place. Bountiful Code requires 6 stacking spaces for a drive thru and the proposed plans include
7 15 stacking spaces.

8
9 The Police Chief and City Engineer were concerned about the possible problems with traffic spilling
10 out onto the public street and the angled parking with the exit at the northwest driveway. The
11 proposed plan will have 2 lanes with 15 stacking spaces, no walk-up services and added signage for
12 entering and exiting the property to help with the employee angled parking.

13
14 Chair Monson opened the public hearing at 7:23 p.m.

15
16 George West is the current owner of the property and resides at 3921 West 2400 North in Plain City.
17 He stated his appreciation for the hard work of the owners have put forward and feels that this business
18 is a good fit at this location.

19
20 Chair Monson closed the public hearing at 7:25 p.m.

21
22 Assistant City Planner recommended the Planning Commission approve the Conditional Use Permit
23 and the preliminary and final architectural and site plan review with the conditions outlined.

24
25 MOTION: Commissioner Spratley made a motion to approve the Conditional Use Permit Council
26 with the one condition outlined by staff. Councilwoman Harris seconded the motion.

27
28 VOTE: The motion passed unanimously (6-0).

29
30 MOTION: Commissioner Spratley made a motion to forward a positive recommendation to City
31 Council with the one condition outlined by staff. Commissioner Bell seconded the motion.

32
33 VOTE: The motion passed unanimously (6-0).

34
35 **CONDITIONS OF APPROVAL:**

- 36
37 1. Prior to applying for a building permit the Applicant shall:
- 38 a. Show plans to add one (1) street tree between the two (2) drive accesses on the street frontage
 - 39 of 200 West, and three (3) street trees in the new landscaped area on the western and
 - 40 southwestern Main Street frontage.
 - 41 b. Show plans to add one (1) ornamental tree and/or shrubs to meet the Code in the two (2) new
 - 42 landscape areas next to the building (one (1) on the east side and one (1) on the west side).
 - 43 c. Add trees and shrubs in the southwest corner, where the drive access is being closed off and
 - 44 filled with landscaping, and along the Main Street frontage.
 - 45 d. Show the plan to add sign stating "Exit Only – Do Not Enter" or similar sign to the northwest
 - 46 drive access.
 - 47
 - 48

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6. WITHDRAWN - 419 West 500 South – Duerden’s Zoning Map Amendment from General Commercial to Heavy Commercial, Steven Duerden, applicant. (Tabled from July 6 to a future meeting.)

Planning Director Astorga stated the applicant withdrew this item.

The meeting was adjourned at 7:29 p.m.

Sean Monson
Planning Commission Chair

DRAFT

Planning Commission Staff Report



Subject: Conditional Use Permit for an Accessory Structure
Exceeding 10% of the Lot Area
Author: Curtis Poole, City Planner
Address: 171 West 1400 North
Date: September 7, 2021

Background

The Applicants, Brandon and Darby Tims, request Conditional Use Permit (CUP) approval to allow for the construction of an accessory structure consisting of a detached garage with living space which would exceed ten percent (10%) of all accessory structures on the lot.

The property is located in the R-4 (Single-Family Residential) Zone. The Viewmont High School tennis courts and athletic fields are located directly to the south of the property. The lot is 0.165 acres, (7,187 square feet). The existing single-family dwelling on the lot was built in the 1960's with a single-vehicle carport. The Applicants submitted plans to construct a 1,000 square foot detached garage (an accessory structure), which would be located behind the existing single-family dwelling.

Analysis

The Bountiful Land Use Code allows the construction of accessory structures as a permitted use if they occupy ten percent (10%) or less of the total lot area. If the proposed construction of accessory structure(s) exceeds ten percent (10%) a CUP is required; however, the lot coverage of all accessory structures combined cannot exceed fifteen percent (15%). The proposed garage consisting of 1,000 square feet would cover fourteen percent (14%) of the total lot area. The existing shed and carport are proposed to be removed as part of the scope of work. Land Use Code Section 14-4-105(J)(2)(a) indicates the following:

The approval body shall consider the following when reviewing the proposed accessory structure:

- I. The extent that sunlight, air and view sheds are obstructed/disturbed,*
- II. The proximity to adjoining structures,*
- III. The contour of the land, both existing and proposed,*
- IV. Features peculiar to the site and the immediately adjoining properties.*
- V. The location of windows, doors, balconies and other openings that may intrude on the privacy of adjoining property owners,*
- VI. The proposed and potential uses based on the size, configuration and other aspects of the structure.*

Staff does not find any unmitigated impacts by the proposal, as conditioned, that would impact sunlight, air, view sheds, proximity to structures, contour of the land, peculiar features, fenestration location, and size and configuration.

The Land Use Code further requires in single-family zones that all structures, which include accessory structures and all impervious surfaces, shall not exceed sixty percent (60%) of the lot. The total approximate lot coverage of 3,331 square feet is forty-six percent (46%). This total lot coverage includes the proposed garage and extension of the driveway into the rear yard. In addition to the lot coverage, the Code sets the standard for landscaping in the single-family zones, in particular the requirement to maintain a minimum of fifty percent (50%) landscaping in the rear yard. The proposal complies with the minimum required landscaping provision.

The proposal meets the setback and height standards for accessory structures. The Applicants have removed from their plans a window on the upper floor of the structure so as not to impact the neighboring property to the east. Since the structure is proposed to be built on the east side of the Applicant's property, the entrance for the studio space above the garage does not appear to impact the neighboring property to the west.

The upper floor of the structure does have the appearance of a living space which could be used as an accessory dwelling unit (ADU); however, the property does not qualify for an ADU since it does not meet the minimum required square footage of 8,000. Staff recommends a condition of approval indicating that the Applicants are to sign a Deed Restriction to be recorded at the County which will serve notice that although the accessory structure has a kitchen it, it is not an ADU and cannot be used as a rental unit.

As part of the construction the Applicants are to replace uneven sections of the existing sidewalk which can no longer be ground. Staff, specifically the City Engineer, will meet with the Applicants and the neighboring property owner to the east to resolve an existing shared drive access. The Applicants will continue to work with Bountiful Light and Power on location of utility connection to the property.

Department Review

This staff report was reviewed by the City Engineer, Planning Director, and City Attorney.

Recommendation

Staff recommends the Planning Commission review the application, open a public hearing, and approve the Conditional Use Permit to allow for the construction of the proposed accessory structure subject to the following conditions:

1. Prior to final inspection / certificate of occupancy the Applicants shall resolve concerns over the shared drive access with the property owner to the east to the satisfaction of the City Engineer.
2. Prior to final inspection / certificate of occupancy the Applicants shall replace existing uneven and/or broken sidewalk sections and sections that may be damaged during construction.
3. Prior to final inspection / certificate of occupancy the Applicants shall sign a Deed Restriction drafted by Planning Staff and have it recorded at the County which will serve

notice that although the accessory structure has a kitchen in it, it is not an accessory dwelling unit (ADU) and cannot be used as a separate rental unit.

Attachments

1. Aerial Photo
2. Applicable Code Section 14-4-105
3. Site Plan
4. Building Elevations
5. Applicant's Letter

Aerial Photo



Applicable Code Section 14-4-105

14-4-105 Yard and Setback Requirements

[...]

- J. *Accessory Structure, Primary Use Required* – An accessory structure shall not be permitted on any lot or parcel of land unless a primary structure is first constructed on the site. If the primary structure is removed and not immediately replaced, any accessory structure must also be removed. A lot or parcel shall not be subdivided such that an accessory structure is located on a lot or parcel without a primary structure.

[...]

2. *Accessory Structure, Conditional Use* – An accessory structure may be allowed as a conditional use in accordance with the following:

- a. *The approval body shall consider the following when reviewing the proposed accessory structure:*
 - i. *The extent that sunlight, air and view sheds are obstructed/disturbed,*
 - ii. *The proximity to adjoining structures,*
 - iii. *The contour of the land, both existing and proposed,*
 - iv. *Features peculiar to the site and the immediately adjoining properties.*
 - v. *The location of windows, doors, balconies and other openings that may intrude on the privacy of adjoining property owners*
 - vi. *The proposed and potential uses based on the size, configuration and other aspects of the structure.*
- b. *The total building footprint of any and all accessory structures shall not exceed fifteen percent (15%) of the entire lot or parcel area, and no lot or parcel shall be reduced in area after the construction of an accessory building, such that it is in violation of this provision.*
- c. *An accessory structure shall meet all of the setbacks of a primary structure, or it shall be setback at least ten (10) feet behind the front building line of a primary structure, and shall be setback at least three (3) feet from a rear or interior side property line, and at least twenty (20) feet from a street side yard property line. The approving body may require an increased setback based on the criteria of 14-4-106(C.)(1.).*

- d. An accessory structure shall be located at least five (5) feet from a primary structure, including eaves, bay windows, chimneys and any other protrusion on either the accessory building or the primary structure.*
- e. No part of an accessory structure, excluding the eaves, shall be closer than twelve (12) feet to any dwelling on an adjacent property.*
- f. The eaves of an accessory structure shall be setback at least one (1) foot from any property line.*
- g. An accessory structure shall be designed and constructed so as to prevent roof runoff from impacting an adjacent property.*
- h. An accessory structure shall meet all applicable provisions of the International Building Code.*
- i. An accessory structure shall not encroach on any easements, recorded or otherwise.*
- j. The sidewall of an accessory structure shall not exceed fifteen (15) feet in height, as measured from the average slope of the ground to the point where the undersides of the eaves connect to the top of the sidewall. For a flat or mansard roof, the sidewall shall be measured from the average slope of the ground to the highest point of the roof, including any coping, parapet or similar feature.*
- k. The height of an accessory structure shall not exceed twenty (20) feet.*
- l. Accessory structures used or designed for vehicle parking shall be connected to the street by a paved driveway.*

14-4-105 Yard and Setback Requirements

[...]

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[...]

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 - a. The approval body shall consider the following when reviewing the proposed accessory structure:
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 - ii. The proximity to adjoining structures,
 - iii. The contour of the land, both existing and proposed,
 - iv. Features peculiar to the site and the immediately adjoining properties.
 - v. The location of windows, doors, balconies and other openings that may intrude on the privacy of adjoining property owners
 - vi. The proposed and potential uses based on the size, configuration and other aspects of the structure.
 - b. The total building footprint of any and all accessory structures shall not exceed fifteen percent (15%) of the entire lot or parcel area, and no lot or parcel shall be reduced in area after the construction of an accessory building, such that it is in violation of this provision.
 - c. An accessory structure shall meet all of the setbacks of a primary structure, or it shall be setback at least ten (10) feet behind the front building line of a primary structure, and shall be setback at least three (3) feet from a rear or interior side property line, and at least twenty (20) feet from a street side yard property line. The approving body may require an increased setback based on the criteria of 14-4-106(C.)(1.).

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- e. No part of an accessory structure, excluding the eaves, shall be closer than twelve (12) feet to any dwelling on an adjacent property.
- f. The eaves of an accessory structure shall be setback at least one (1) foot from any property line.
- g. An accessory structure shall be designed and constructed so as to prevent roof runoff from impacting an adjacent property.
- h. An accessory structure shall meet all applicable provisions of the International Building Code.
- i. An accessory structure shall not encroach on any easements, recorded or otherwise.
- j. The sidewall of an accessory structure shall not exceed fifteen (15) feet in height, as measured from the average slope of the ground to the point where the undersides of the eaves connect to the top of the sidewall. For a flat or mansard roof, the sidewall shall be measured from the average slope of the ground to the highest point of the roof, including any coping, parapet or similar feature.
- k. The height of an accessory structure shall not exceed twenty (20) feet.
- l. Accessory structures used or designed for vehicle parking shall be connected to the street by a paved driveway.

Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

To Whom It May Concern:

Please be aware that this detached garage and art studio will serve the purposes of garage and art studio. It will NOT be rented out as an accessory dwelling unit. It may resemble an accessory dwelling unit as it has kitchen, however, the purpose of this kitchen is meant to serve the needs of my spouse and artist, Darby Tims.

Stove/Oven Range: Among Darby’s art activities, cooking, melting, and mixing color dyes is a common requirement. This must be done with a stove and/or oven.

Sink and bathtub: Additionally, she will certainly have the need for water for washing and rinsing cloth, fabric, and paint brushes. This will require a sink and a bathtub.

Refrigerator/microwave/toaster oven: These appliances are necessary to store and prepare food and/or snacks as Darby anticipates spending longer periods of time here in her studio. Additionally, she plans on having our children spend time with her in her studio and will need to store and prepare snacks for the children.

We appreciate your understanding on our desired uses of this detached garage and art studio and the practical requirements of these appliances and fixtures.

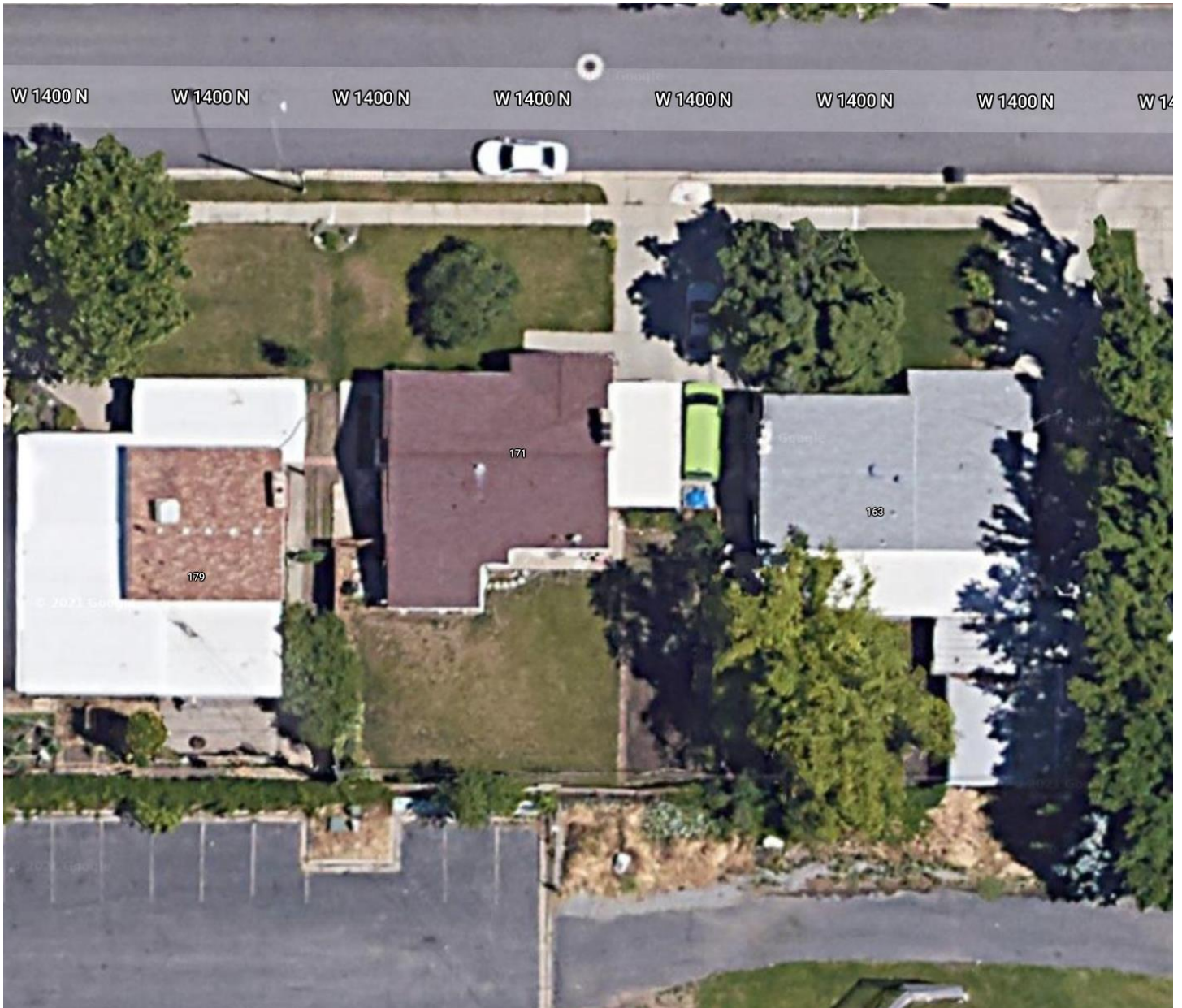
Sincerely,



Brandon Tims

Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 1: Current Satellite View of Property



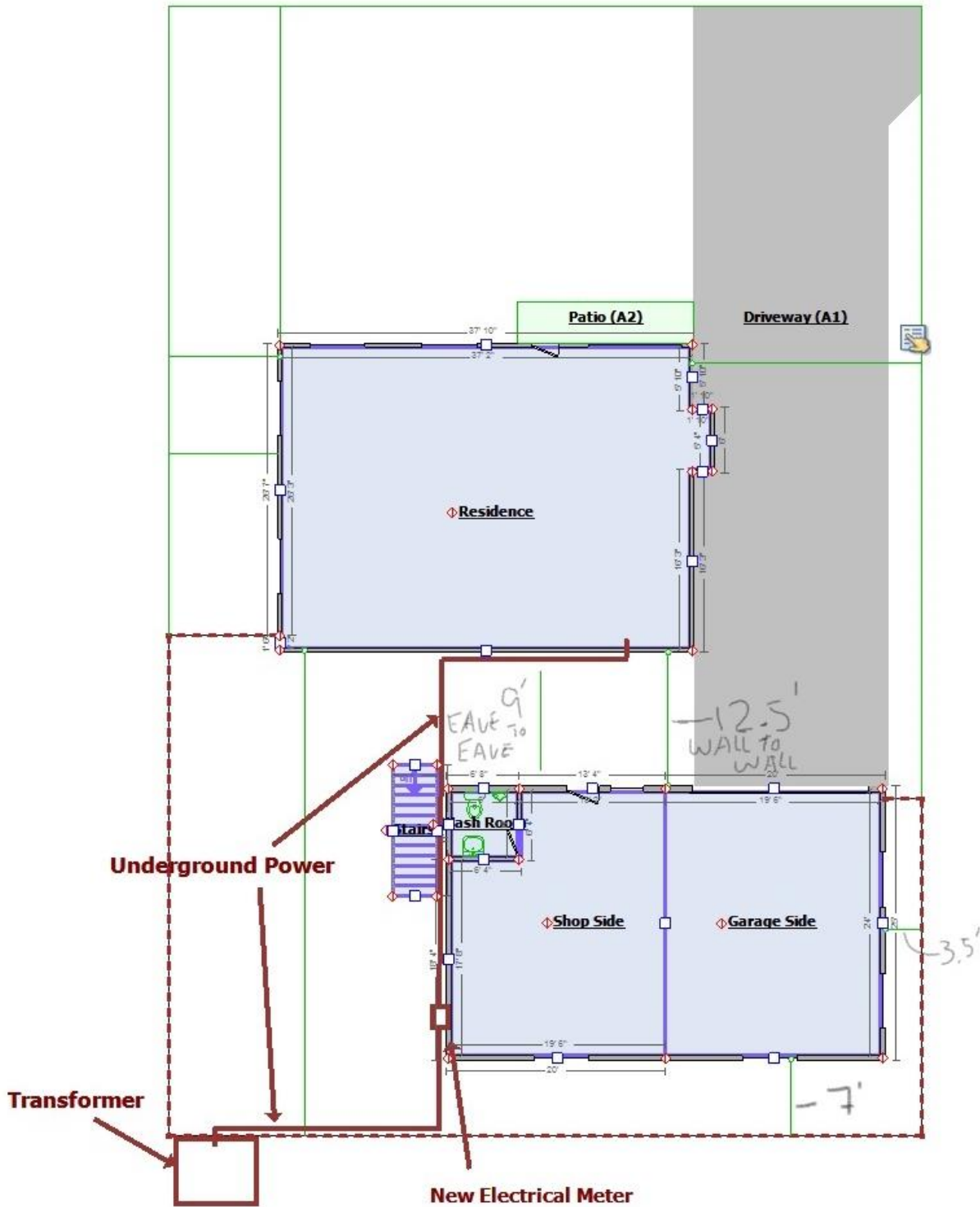
Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 2: Satellite View of Property with Proposed Changes



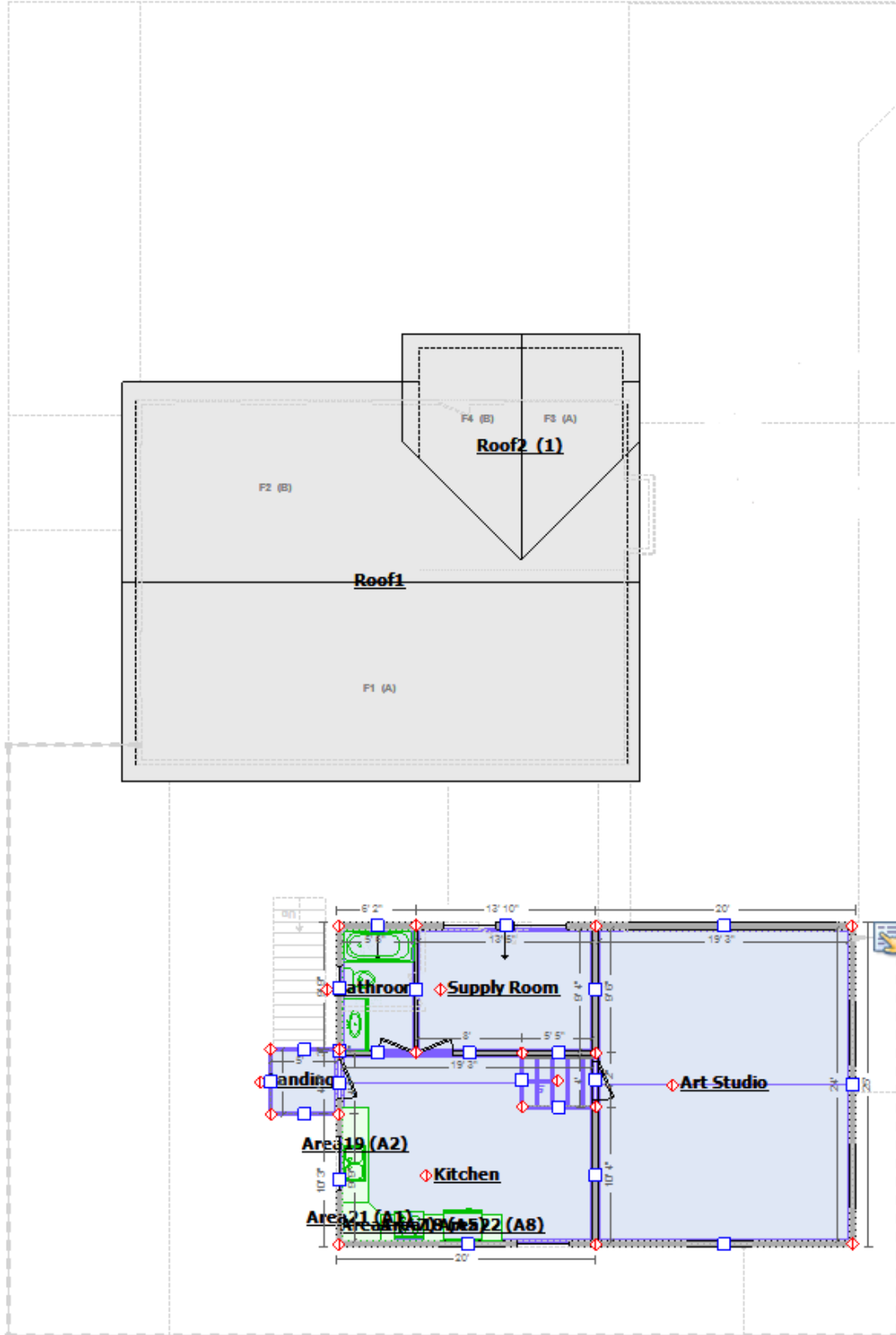
Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 3: Proposal – Power, Widened Driveway Approach, and Building Separation Dimensions



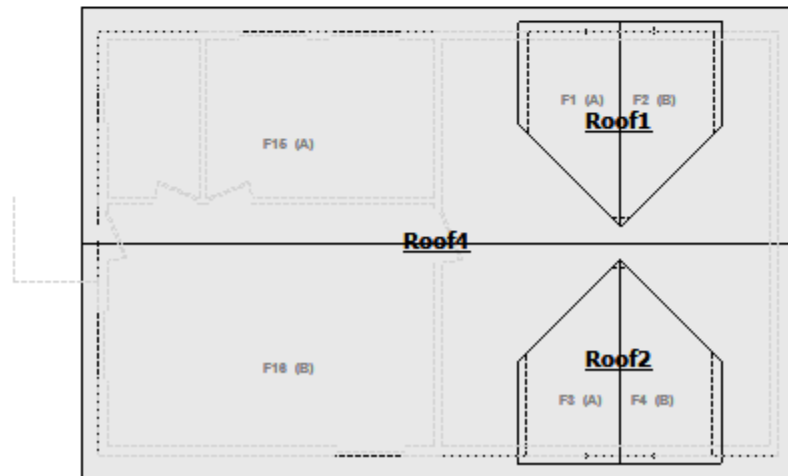
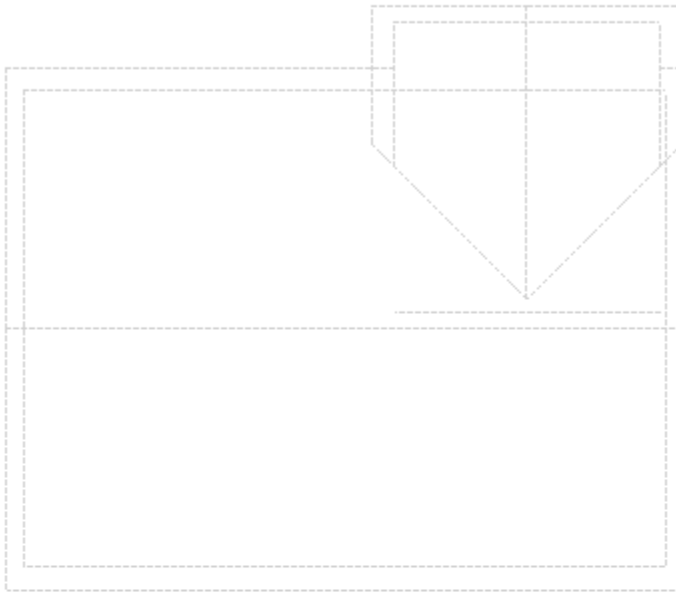
Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 4: Proposed Property Dimensions – Detached Garage Level 2



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 5: Proposed Property Dimensions – Detached Garage Roof Level



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 6: Detached Garage – Ground Level Dimensions

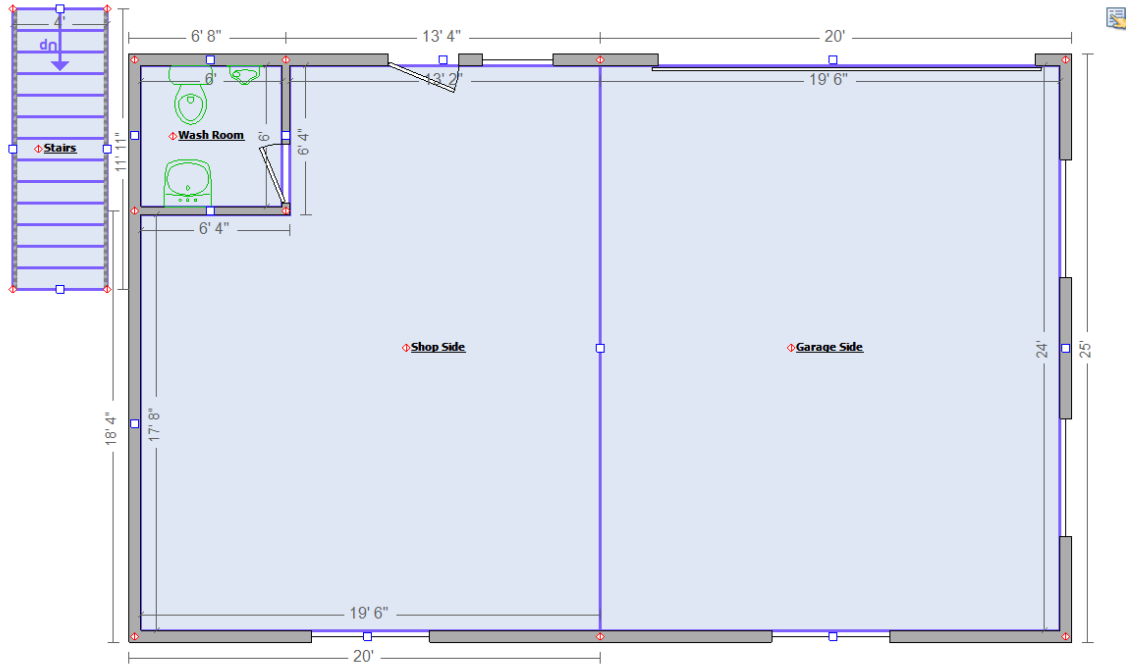
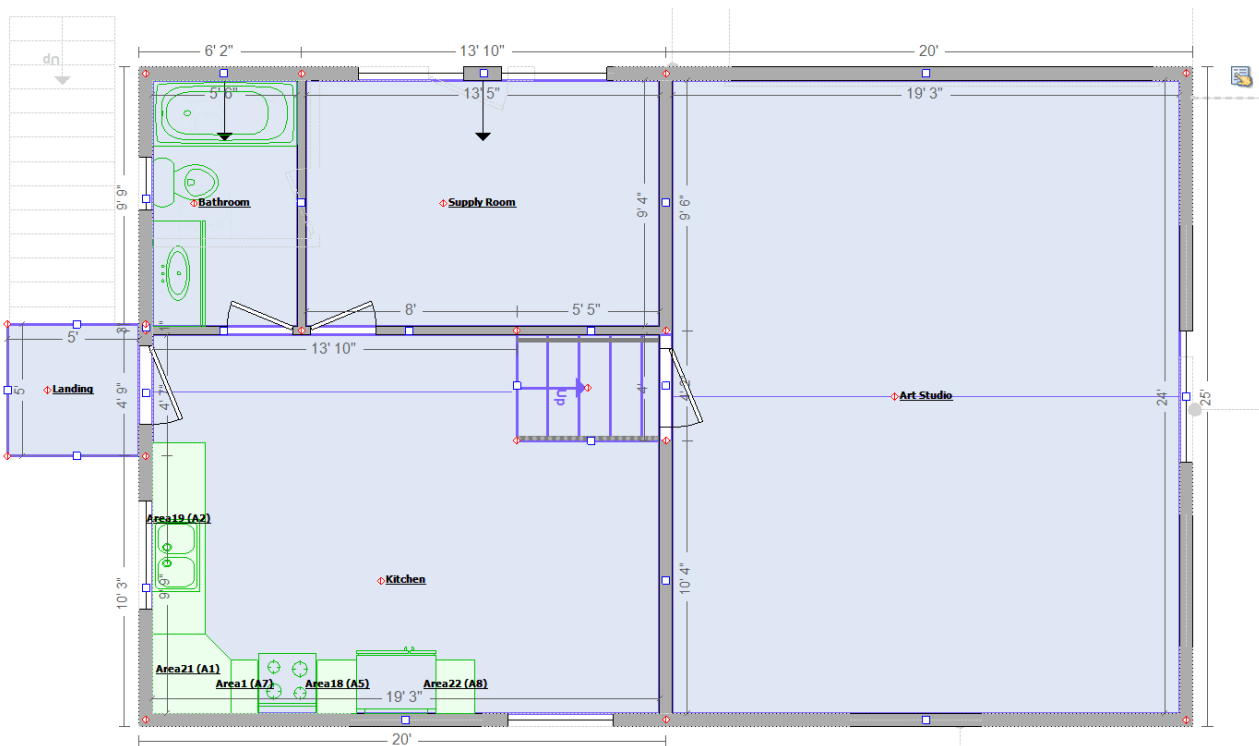
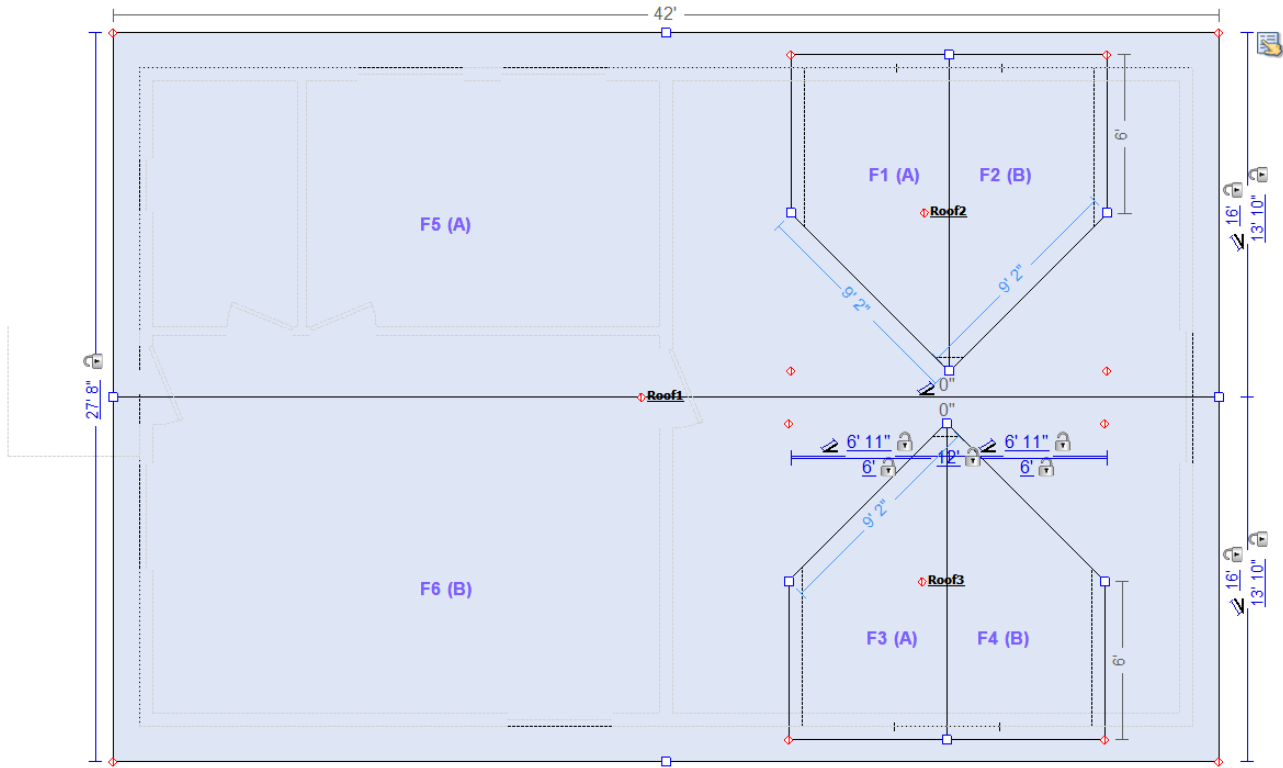


Figure 7: Detached Garage – Level 2 Dimensions



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 8: Detached Garage – Roof Level Dimensions

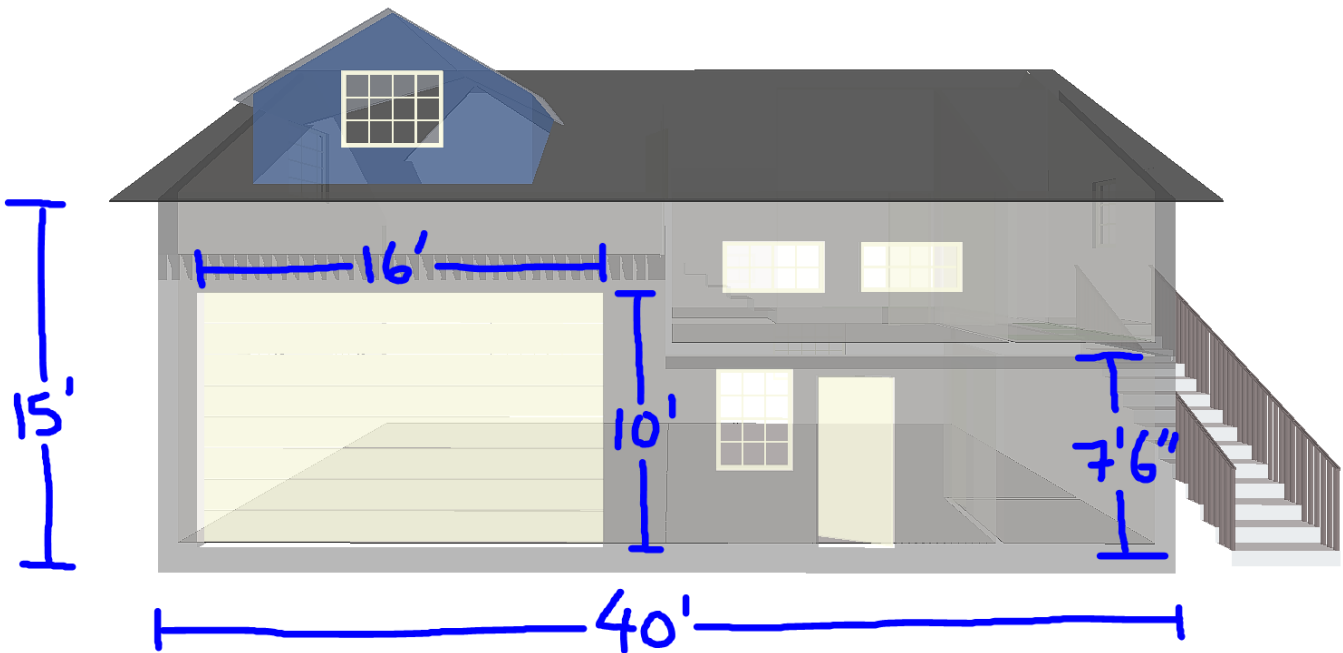


Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 9: Detached Garage – Looking Towards South

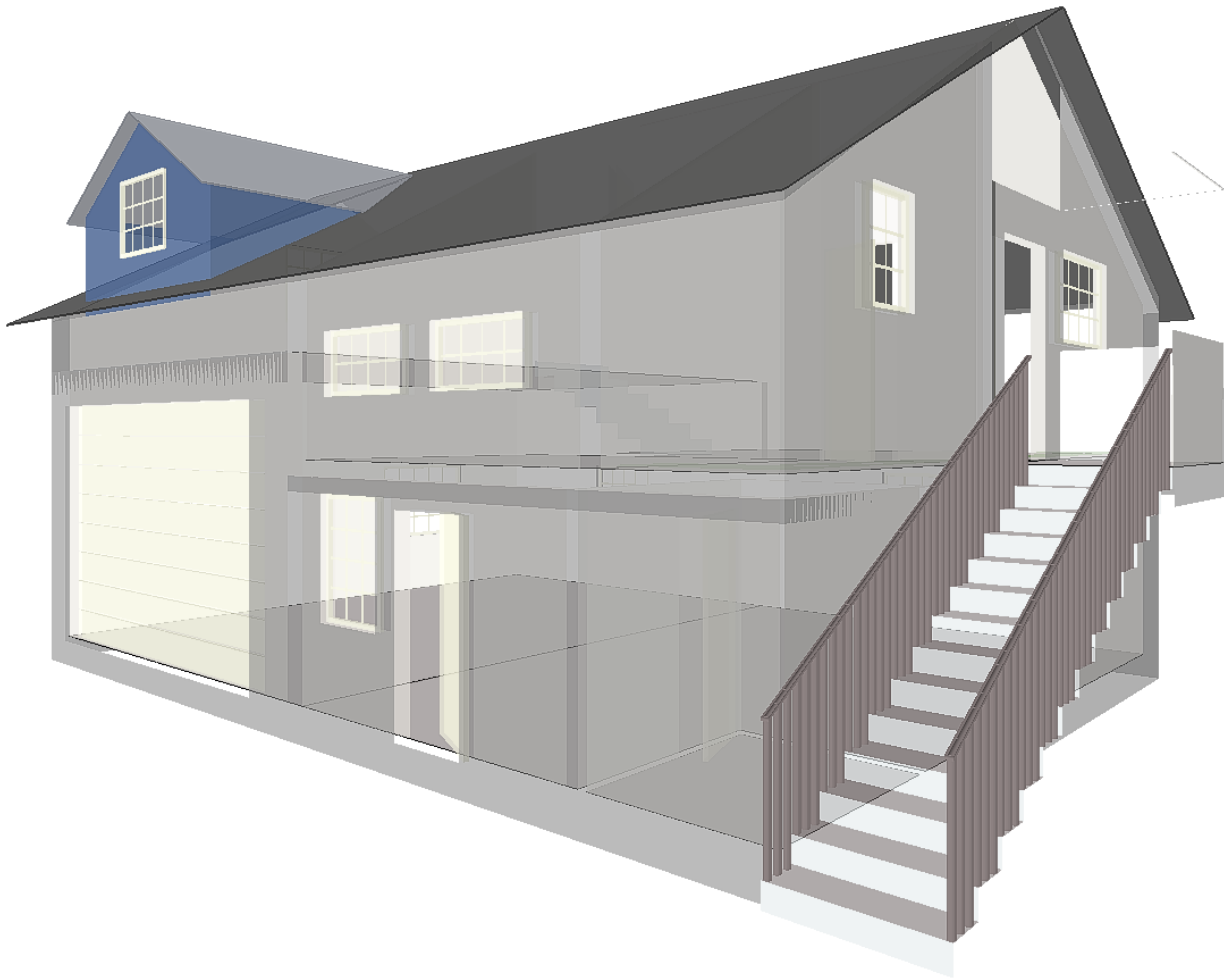


Figure 10: Detached Garage – Looking Towards South with Dimensions



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 11: Detached Garage – Looking Towards South-East



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 12: Detached Garage – Looking Towards East

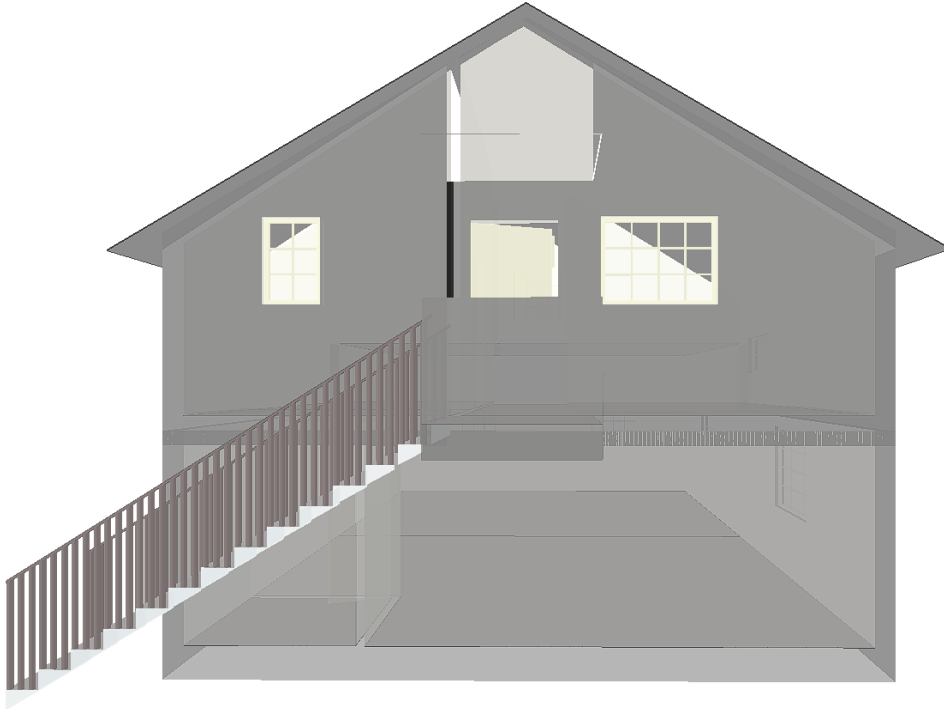
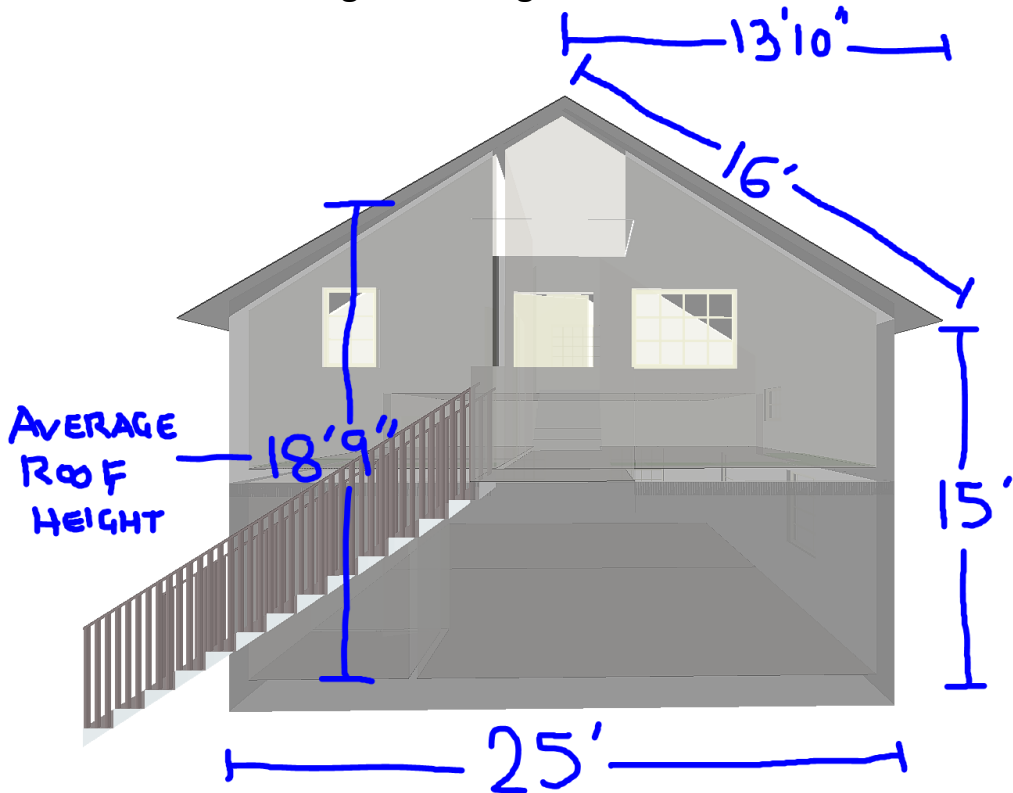
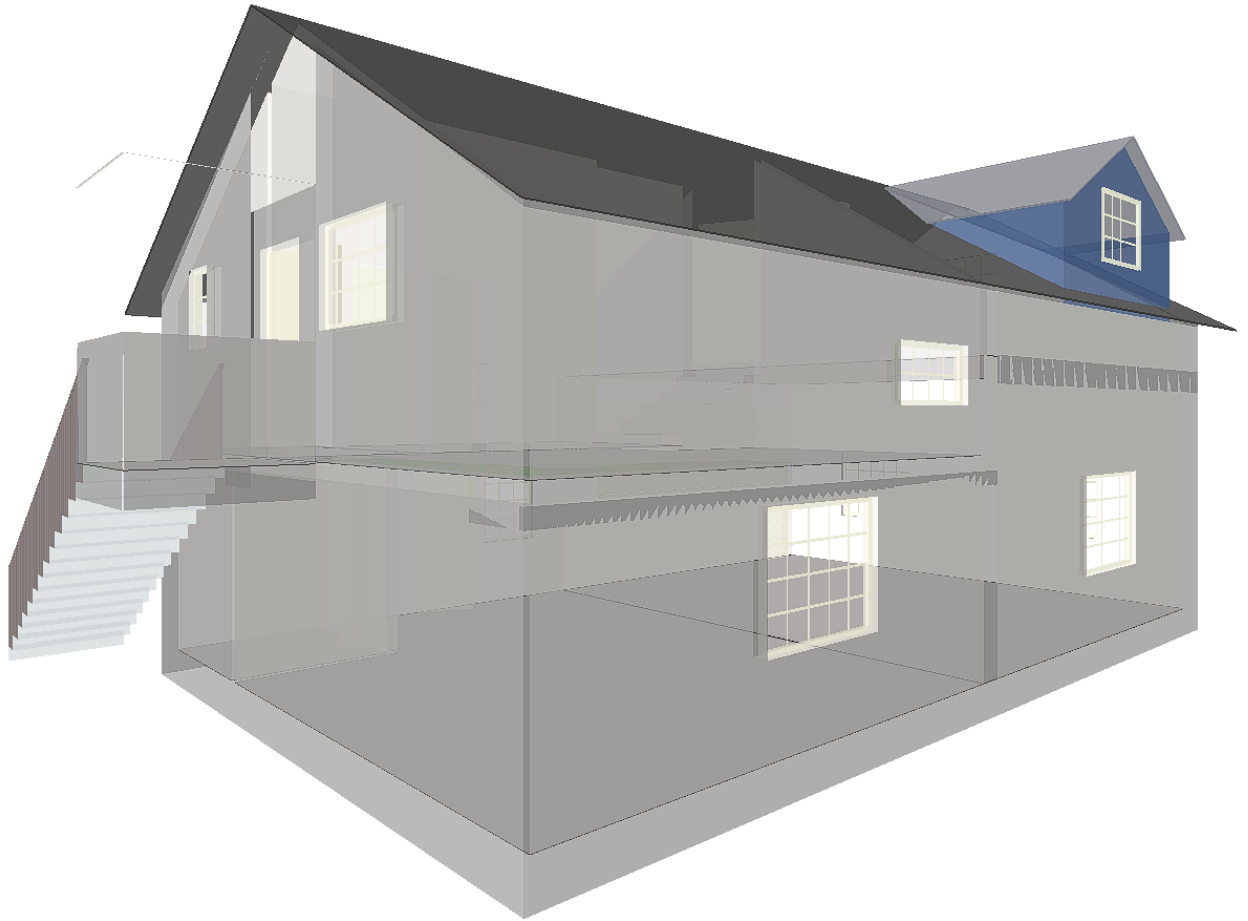


Figure 13: Detached Garage – Looking Towards East with Dimensions



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 14: Detached Garage – Looking Towards North-East

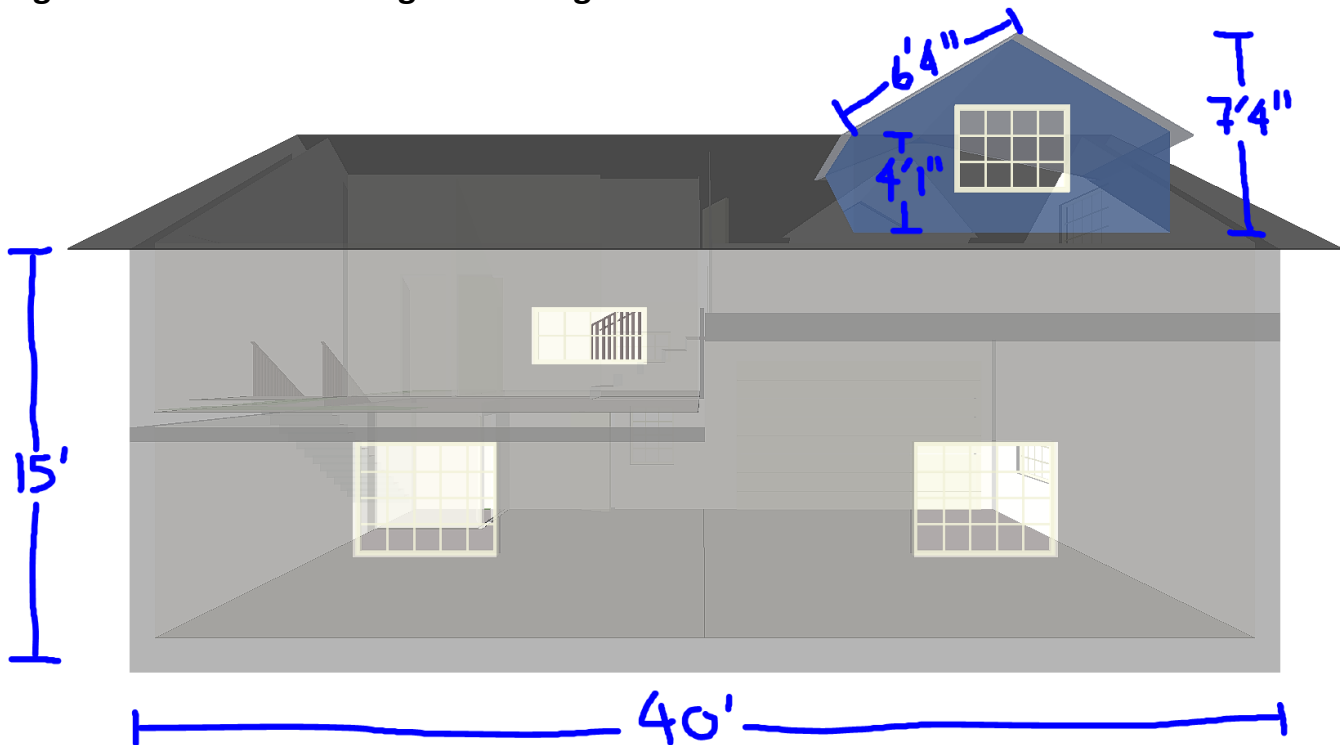


Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 15: Detached Garage – Looking Towards North

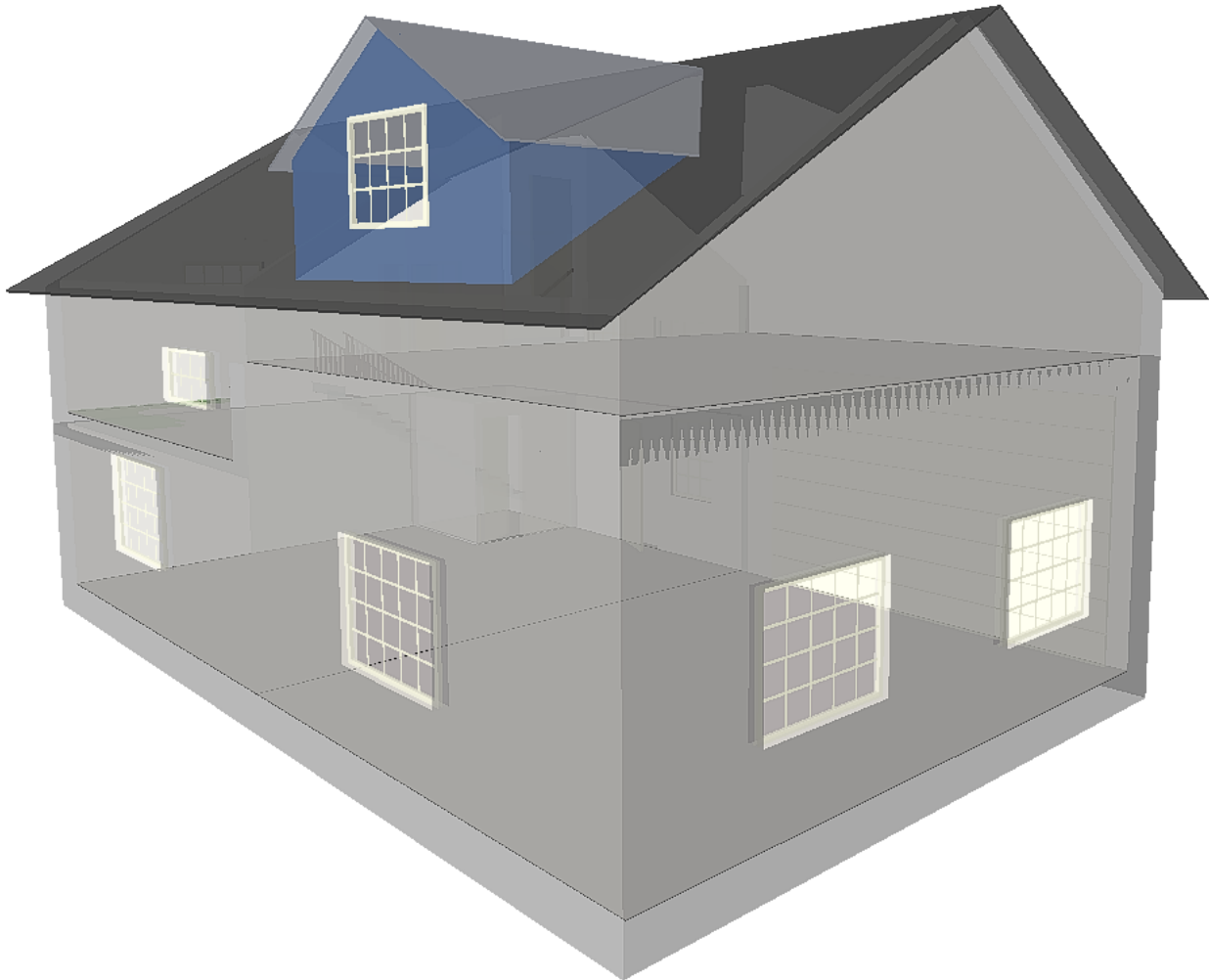


Figure 16: Detached Garage – Looking Towards North with Dimensions



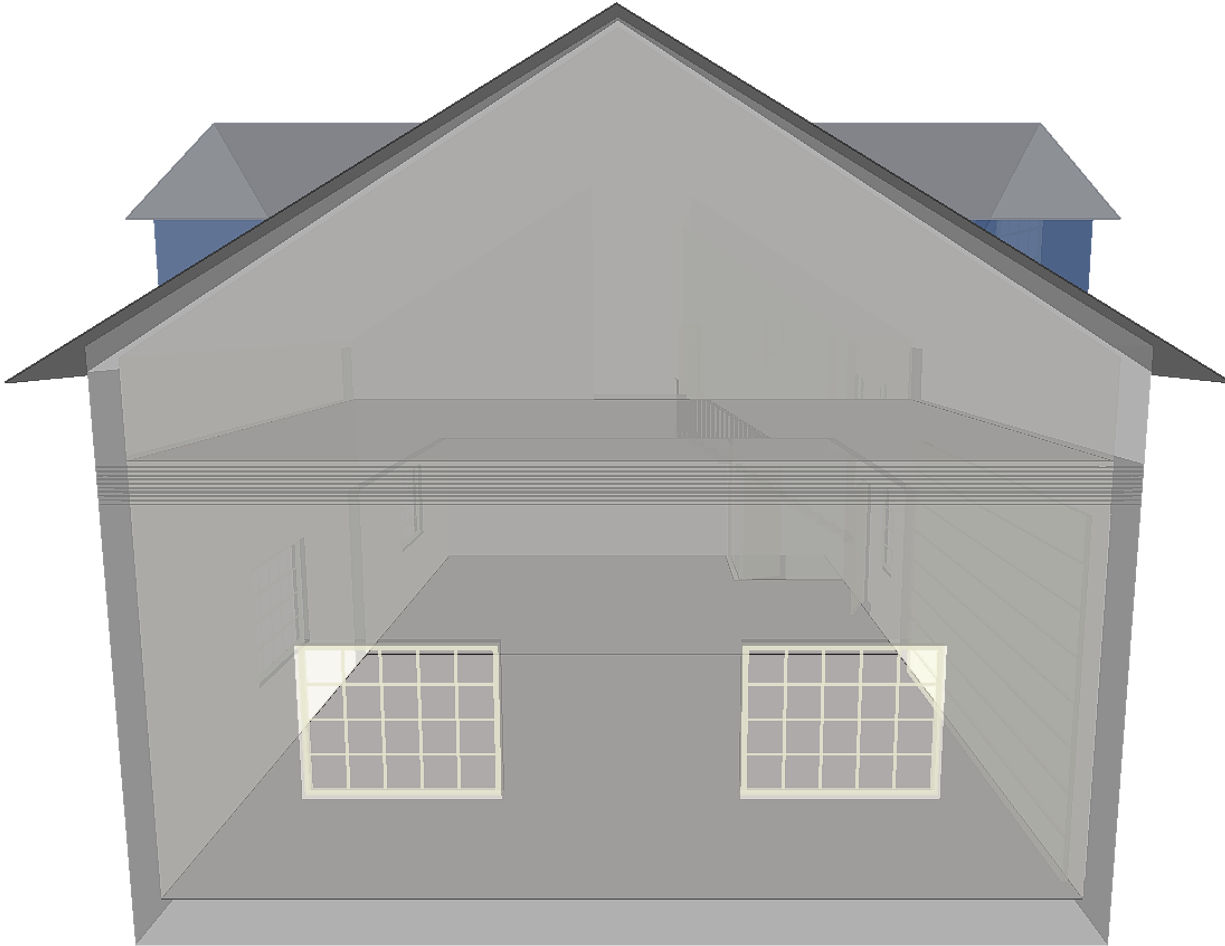
Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 17: Detached Garage – Looking Towards North-West



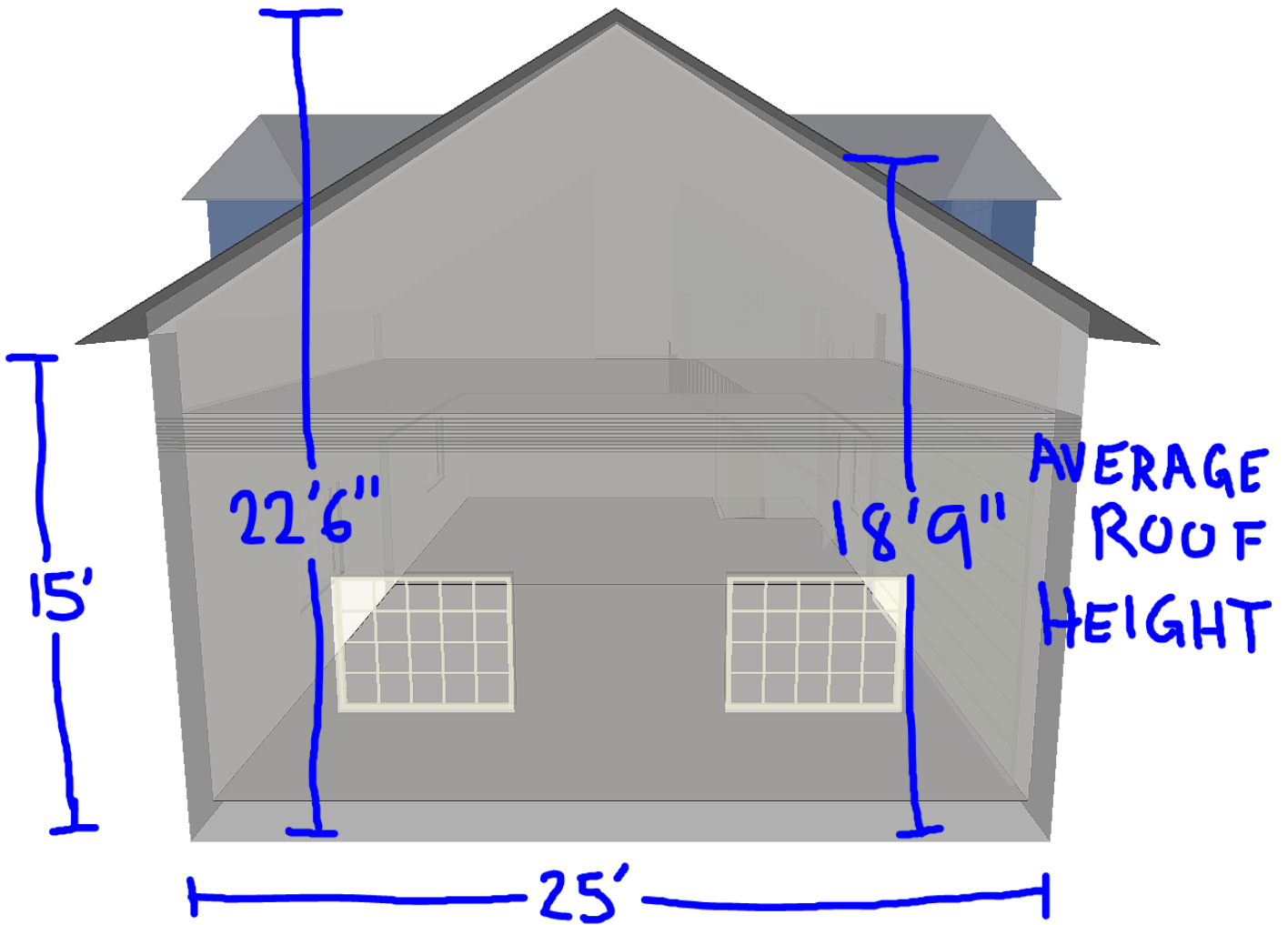
Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 18: Detached Garage – Looking Towards West



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 19: Detached Garage – Looking Towards West with Dimensions



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 20: Detached Garage – Looking Towards South-West



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 21: Property Proposal – Looking Towards South

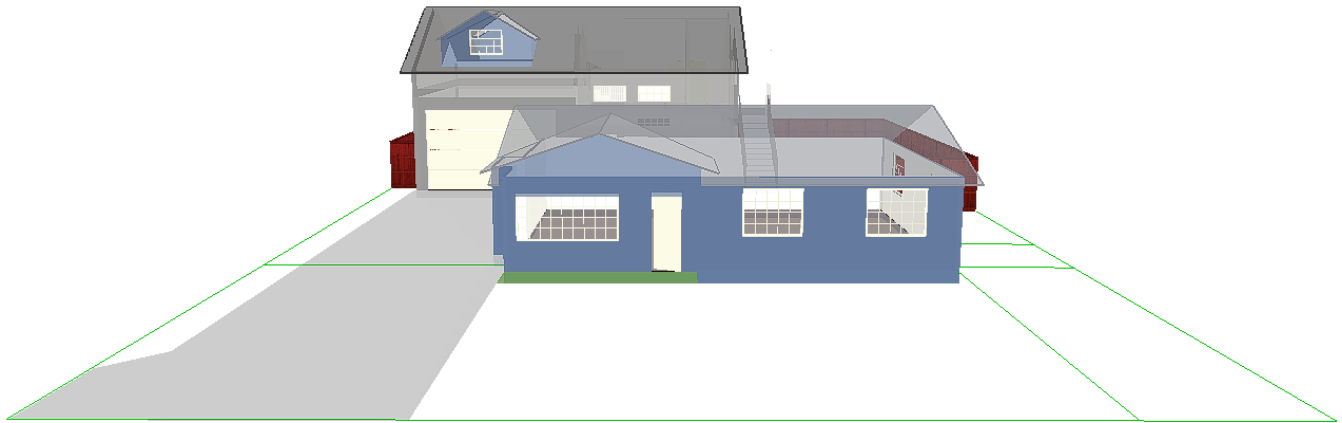
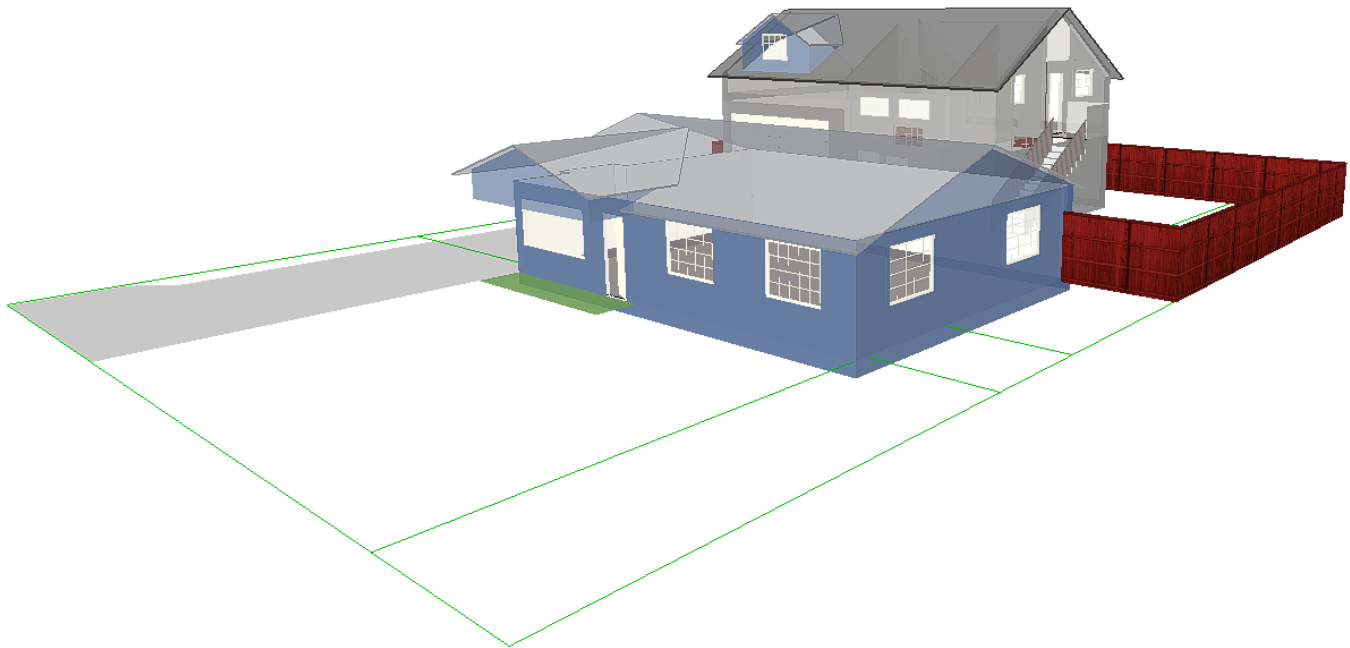


Figure 22: Property Proposal – Looking Towards South-East



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 23: Property Proposal – Looking Towards East

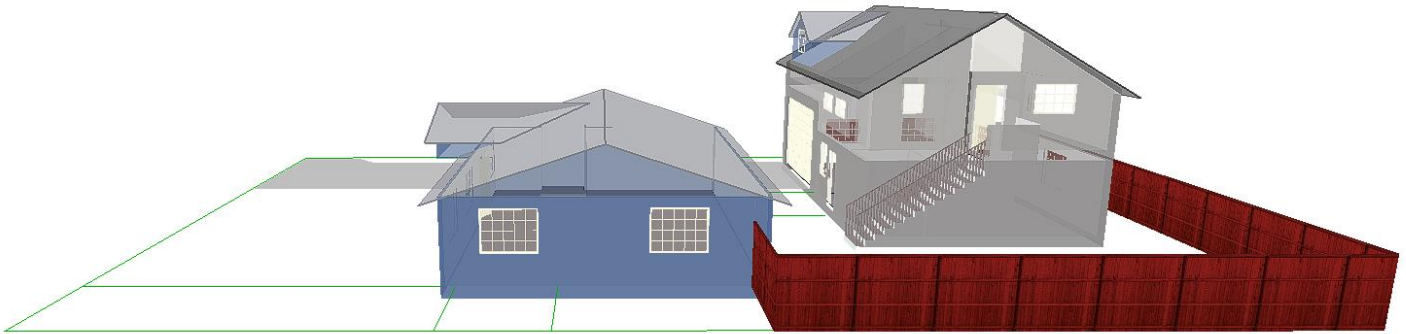
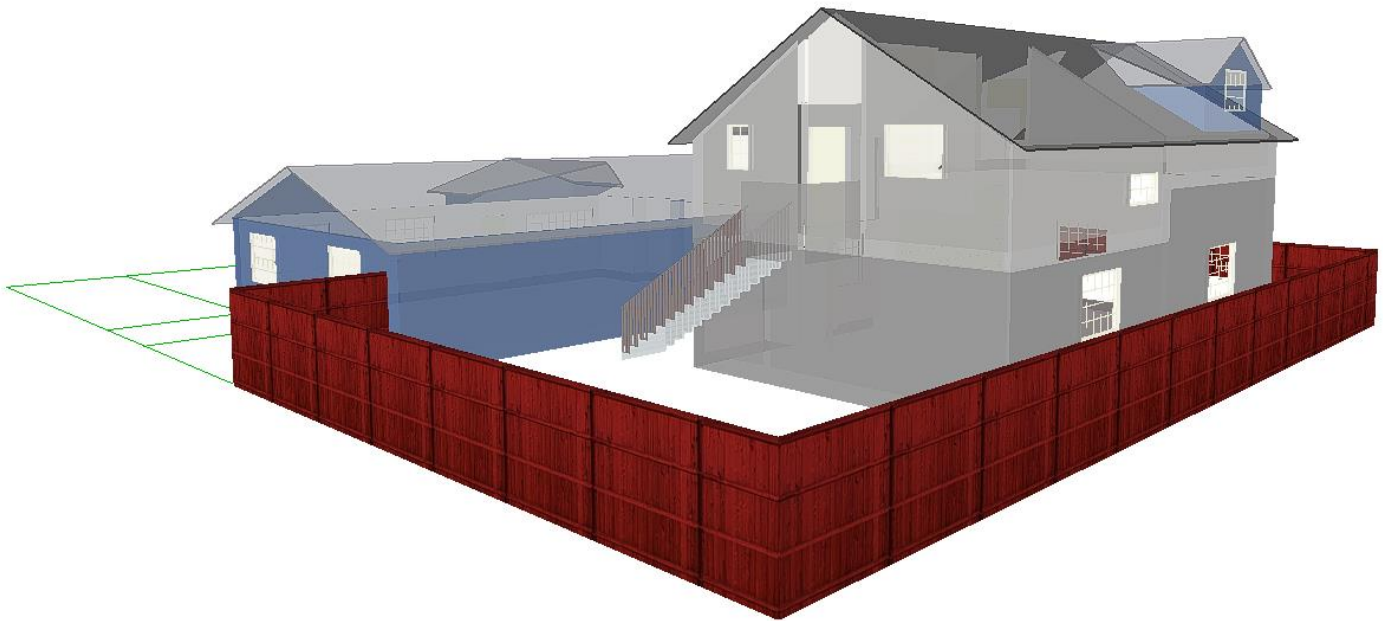


Figure 24: Property Proposal – Looking Towards North-East



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 25: Property Proposal – Looking Towards North

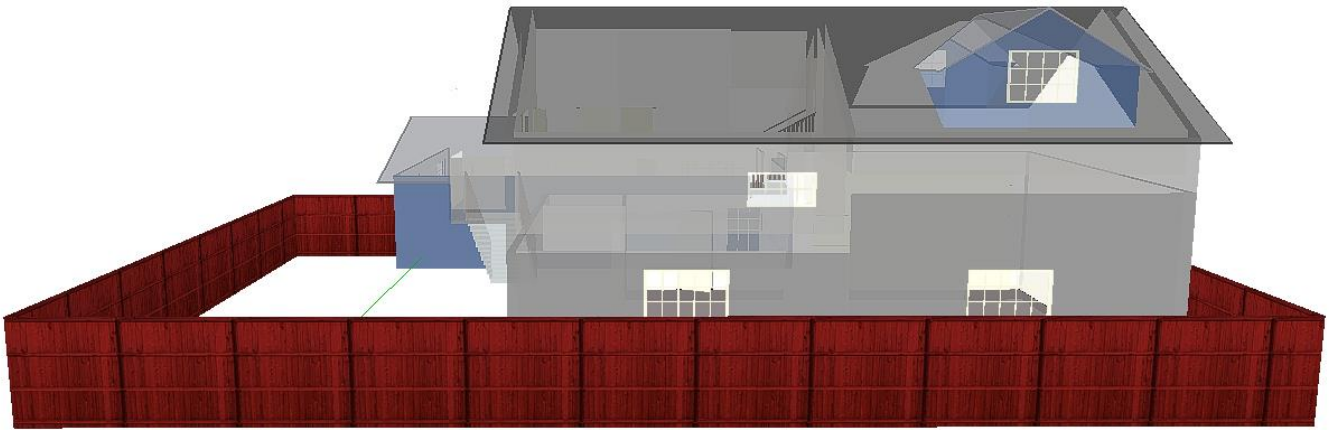
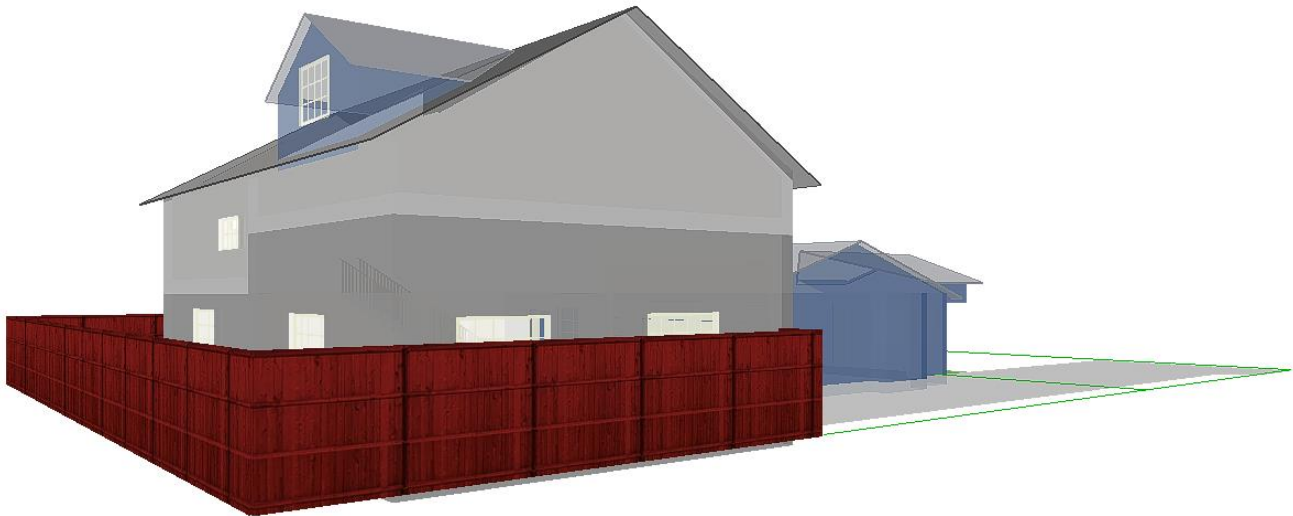


Figure 26: Property Proposal – Looking Towards North-West



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 27: Property Proposal – Looking Towards West

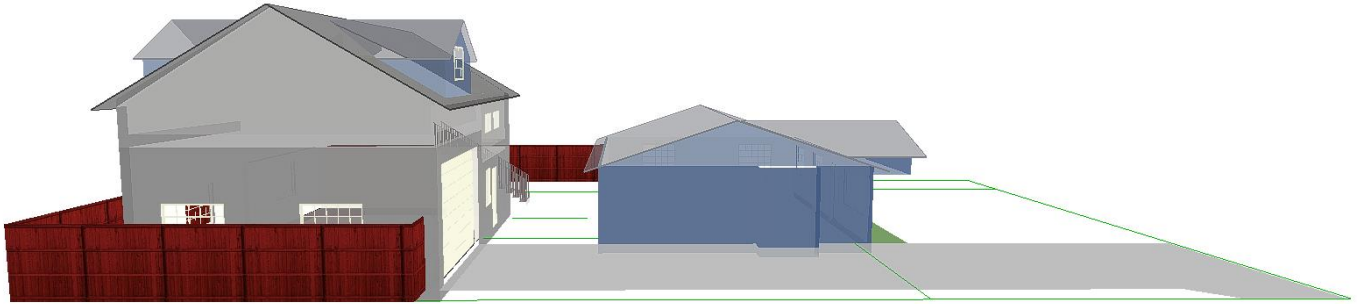
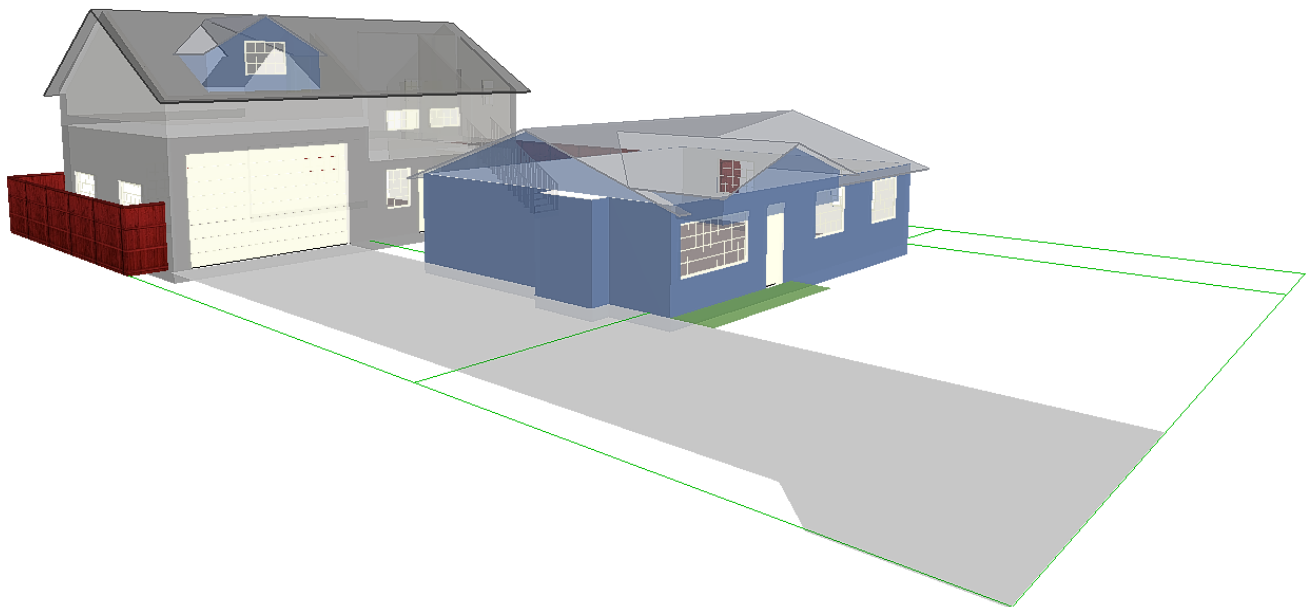
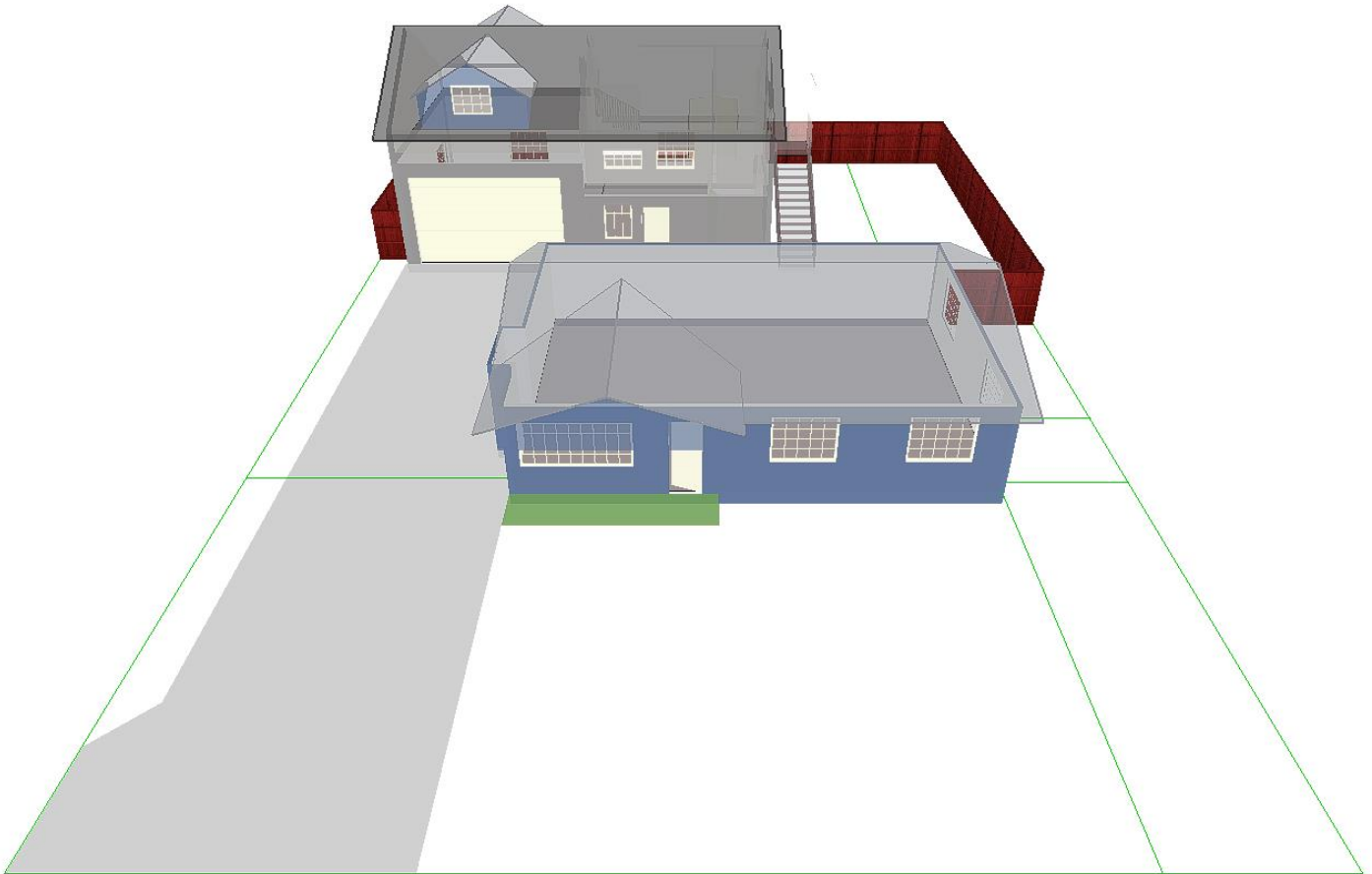


Figure 28: Property Proposal – Looking Towards South-West



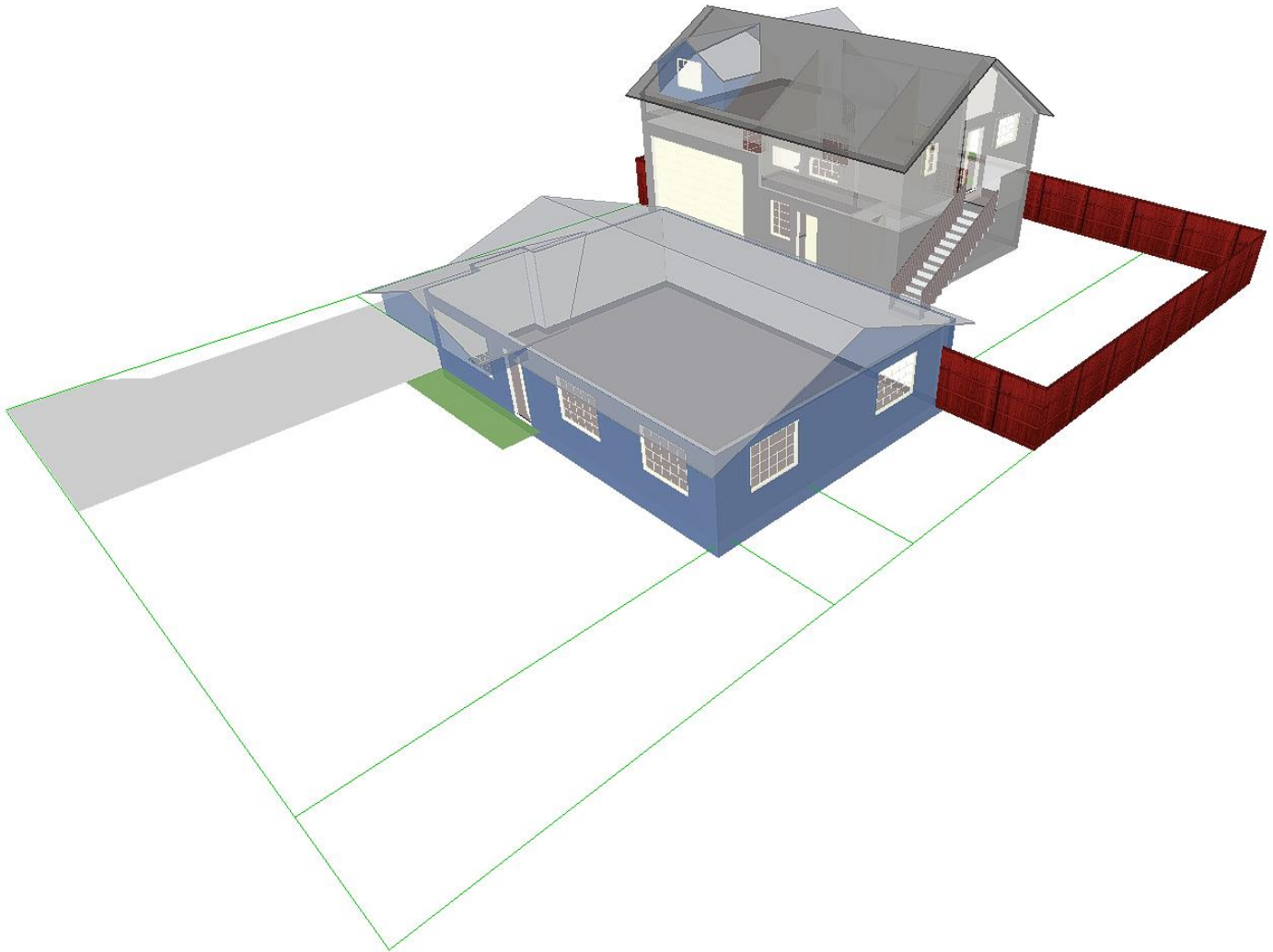
Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 29: Property Proposal – High View Looking Towards South



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 30: Property Proposal – High View Looking Towards South-East



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 31: Property Proposal – High View Looking Towards East

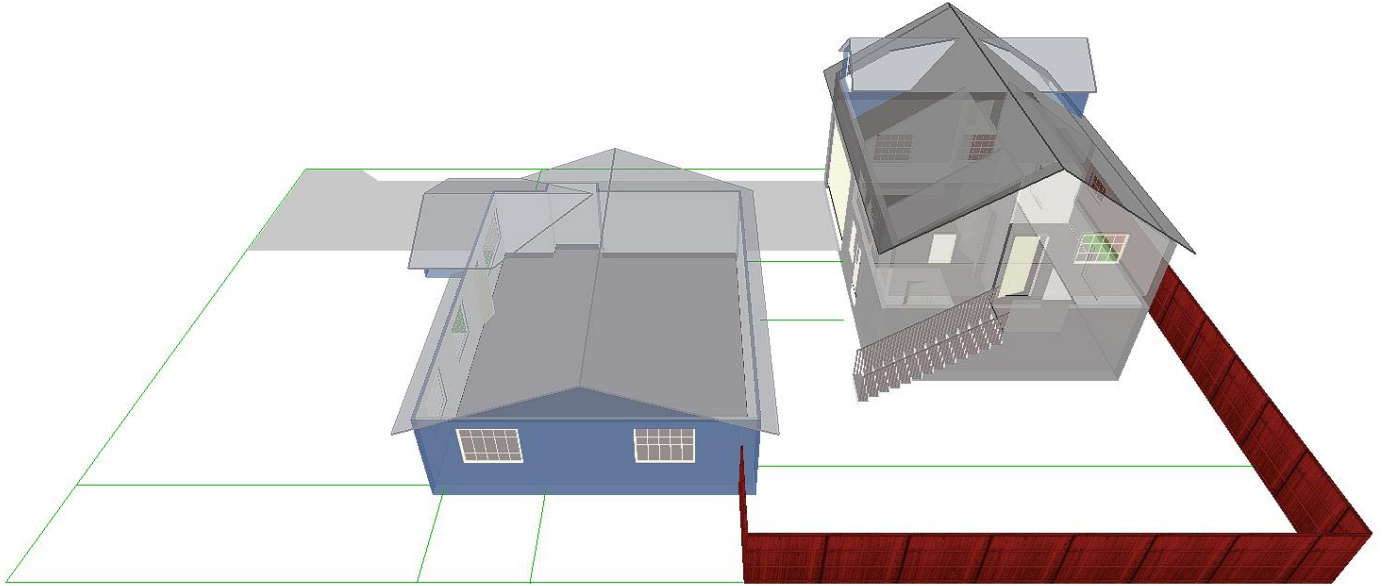
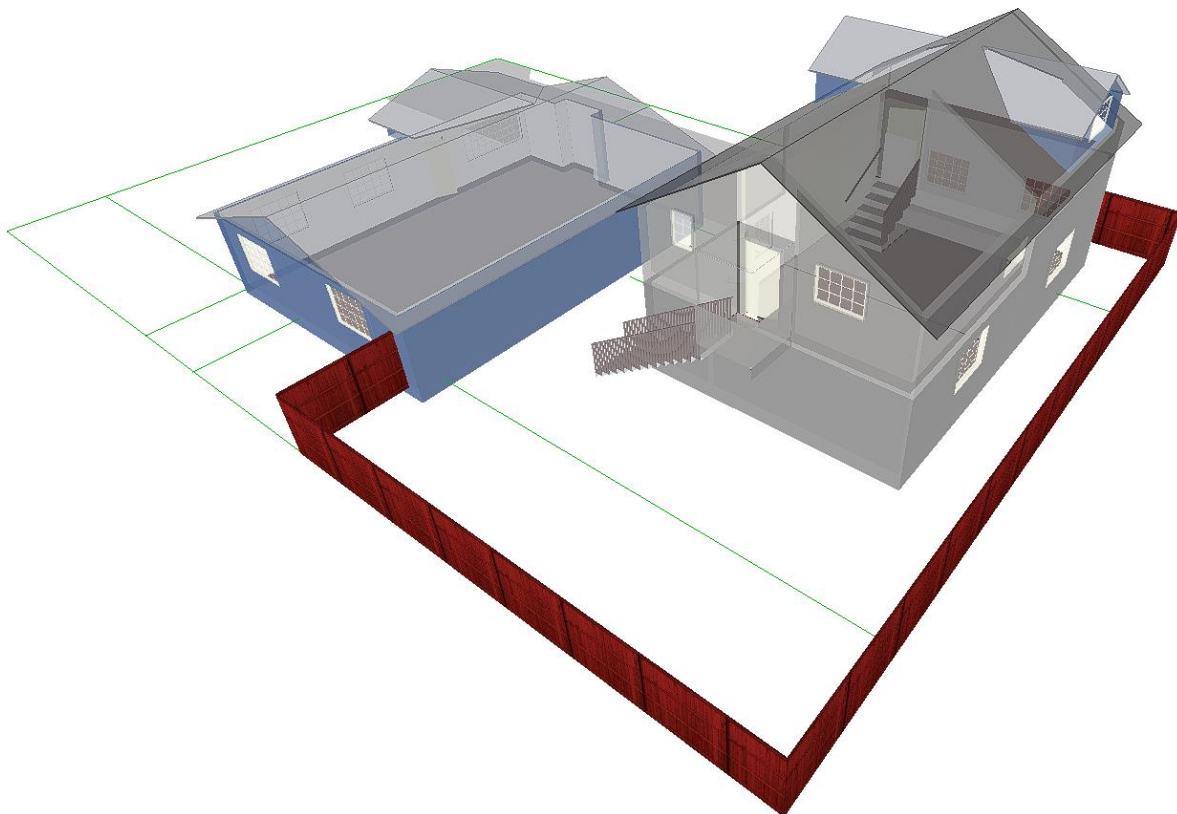
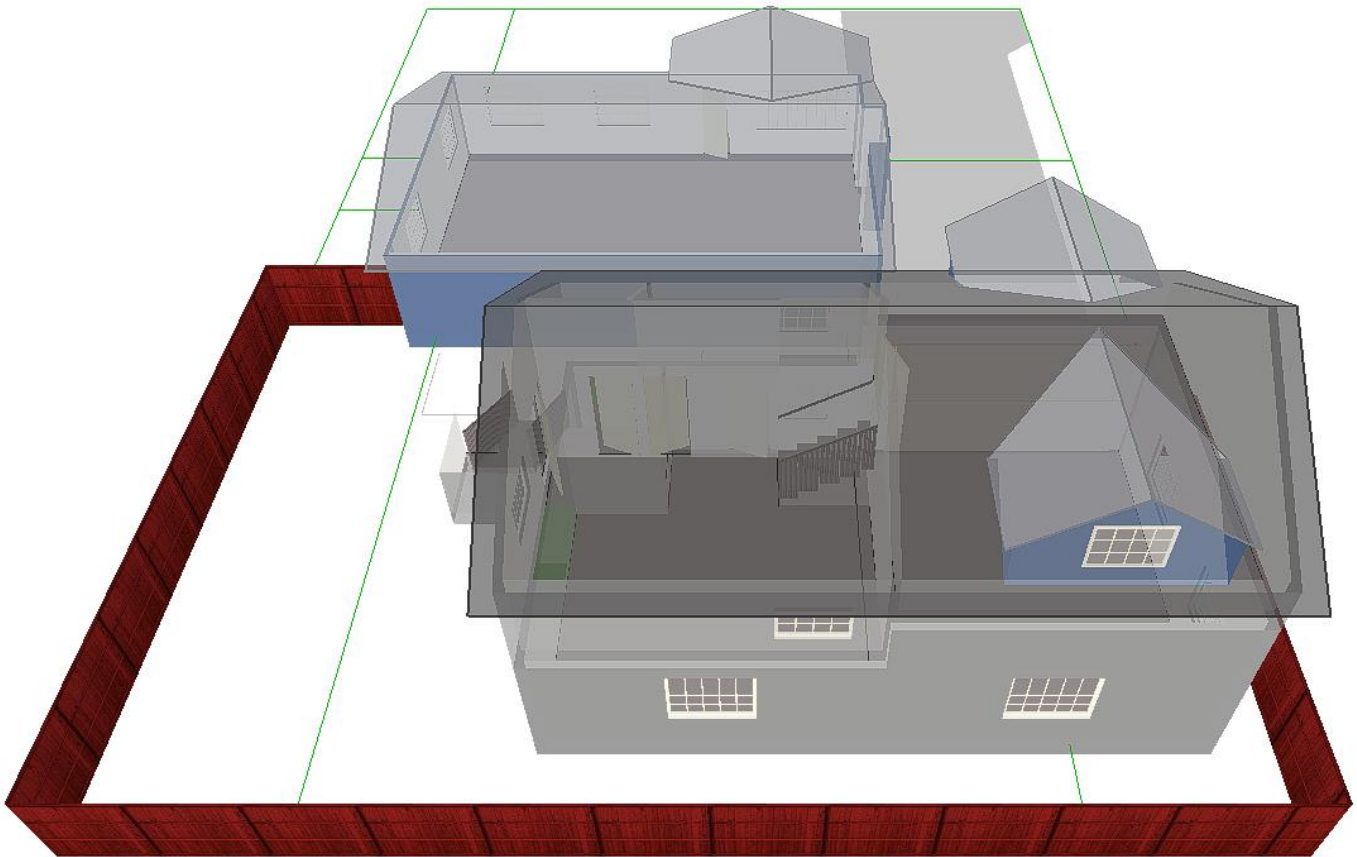


Figure 32: Property Proposal – High View Looking Towards North-East



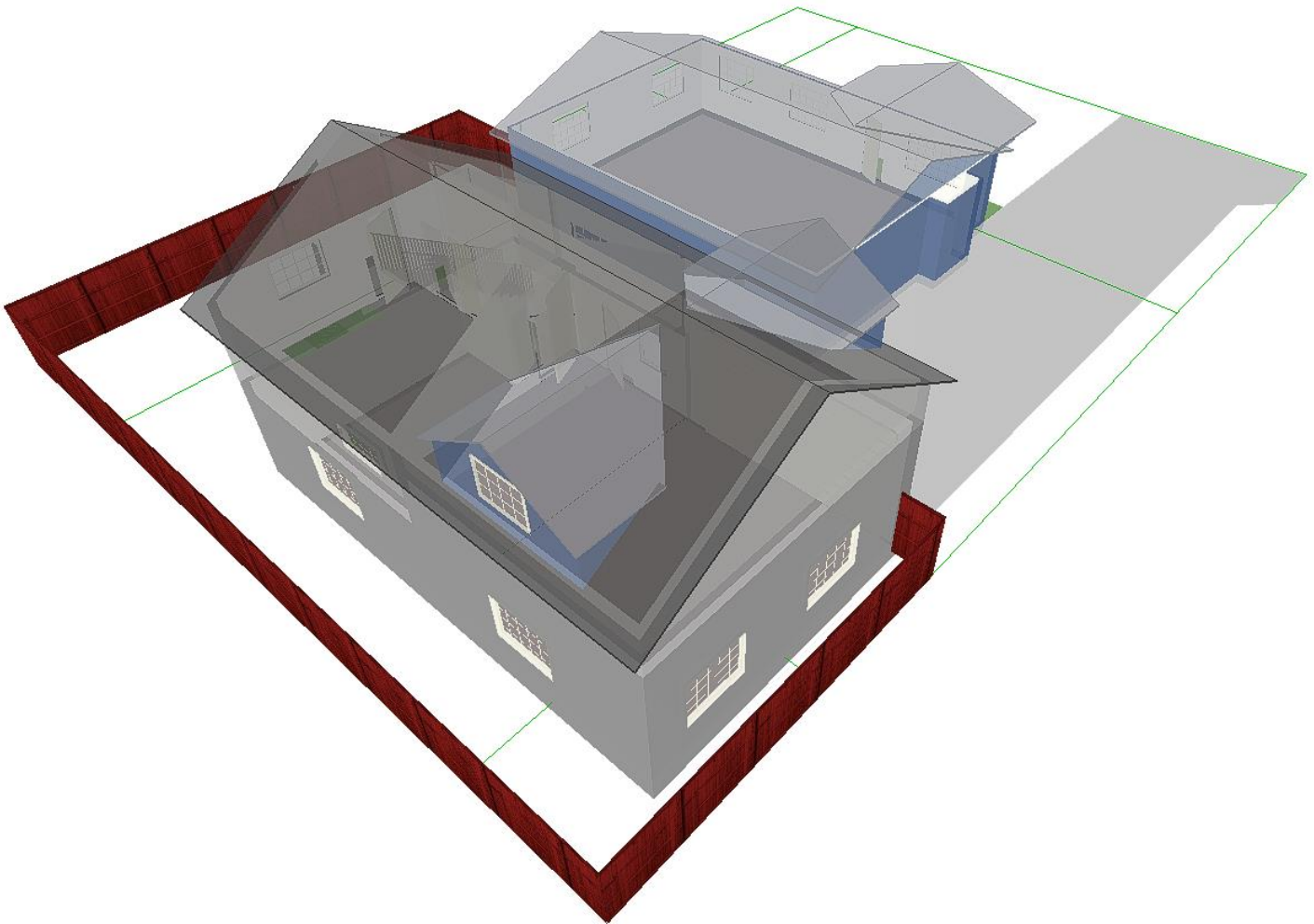
Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 33: Property Proposal – High View Looking Towards North



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 34: Property Proposal – High View Looking Towards North-West



Property Owners: Brandon and Darby Tims
Conditional Use Permit (CUP) Applicant: Brandon Tims
Property Address: 171 WEST 1400 NORTH, BOUNTIFUL, UTAH 84010

Figure 35: Property Proposal – High View Looking Towards West

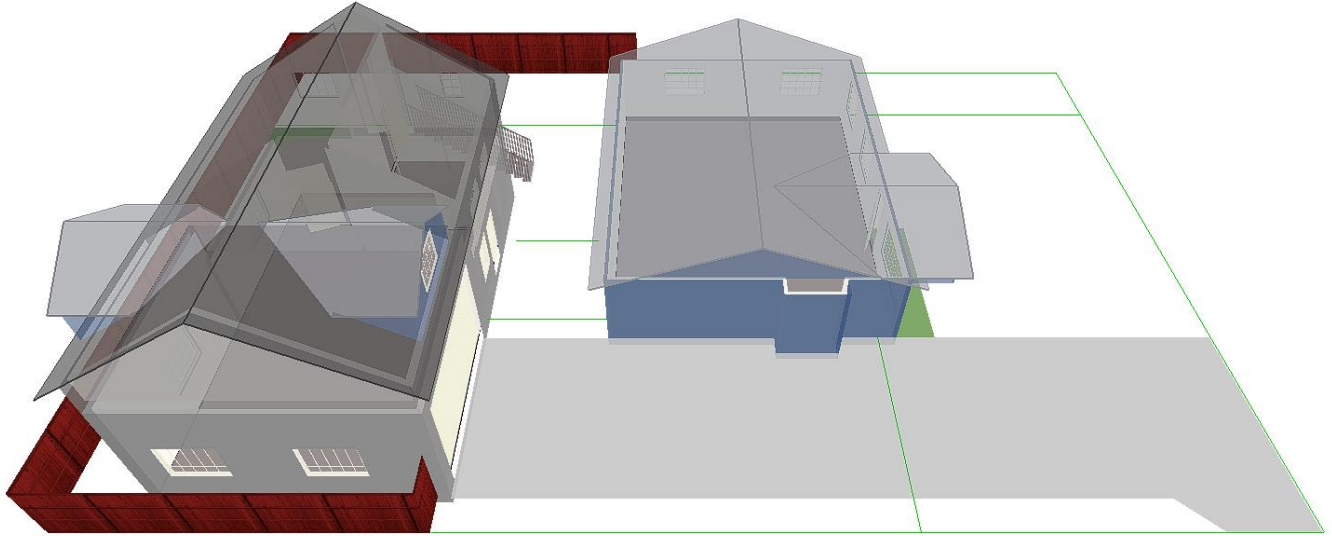
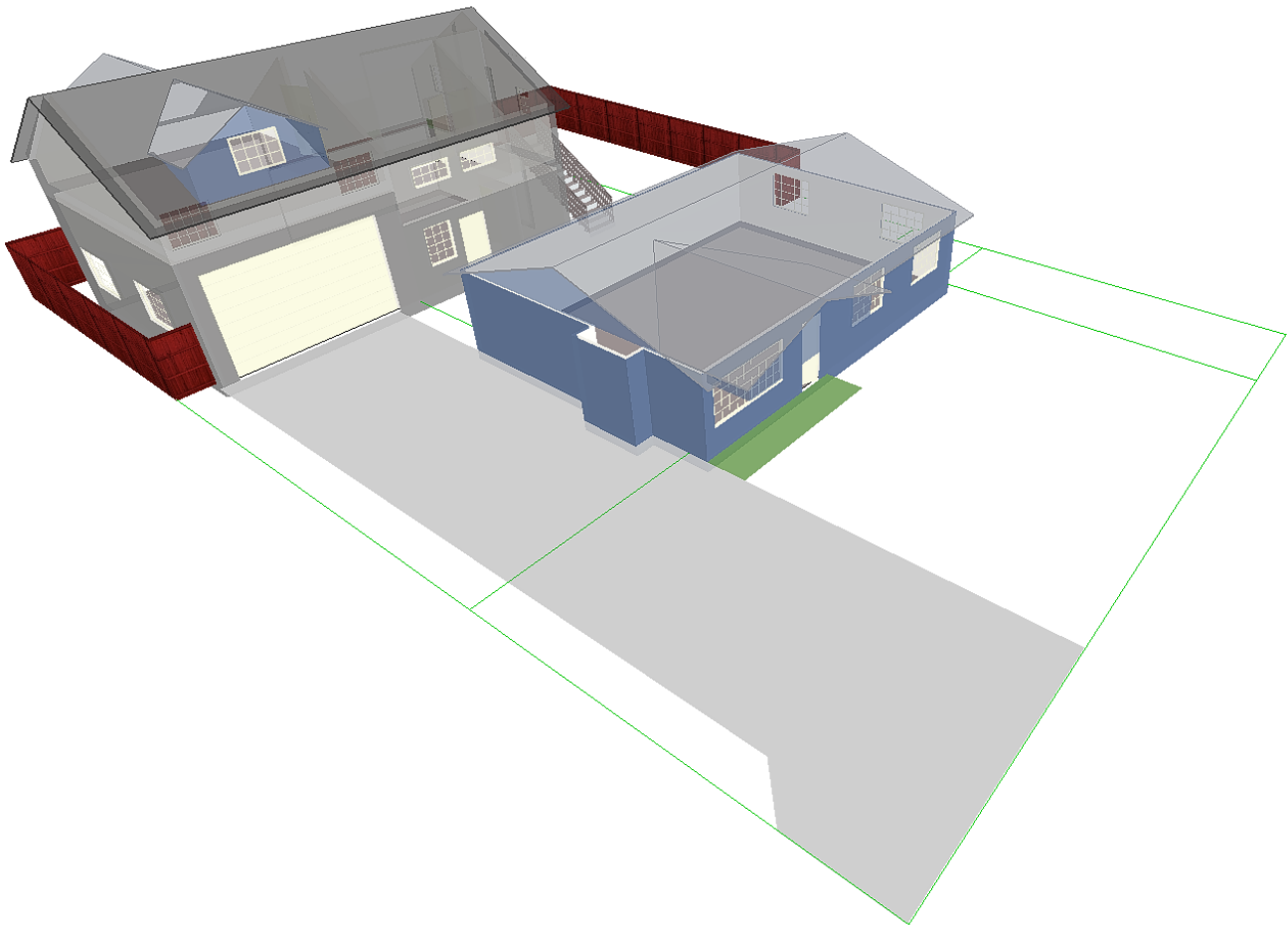


Figure 36: Property Proposal – High View Looking Towards South-West





MAYOR
RANDY C. LEWIS

CITY COUNCIL
Millie Segura Bahr
Kate Bradshaw
Kendalyn Harris
Richard Higginson
Chris R. Simonsen

CITY MANAGER
Gary R. Hill

DRAFT
Bountiful City, Utah
Conditional Use Permit Approval
of a Change of Use in the General Commercial (C-G) Subzone

A public hearing was held on September 7, 2021, at the Bountiful City Hall located at 795 South Main Street, Bountiful, Utah 84010, to consider the request of Brandon and Darby Tims for a Conditional Use Permit allowing for construction of an accessory structure that exceeds the ten percent (10%) allowed for all accessory structures on a lot, located at:

Parcel 03-012-0008

171 West 1400 North, Bountiful, Davis County, Utah

The Bountiful City Planning Commission heard the matter and considered the statements of the applicant, City staff, and the public. As a result, the Planning Commission makes the following findings:

1. This matter is properly heard before the Planning Commission.
2. Appropriate public notice has been provided and a public hearing held.

The Bountiful City Planning Commission hereby grants this Conditional Use Permit for an accessory structure that exceeds the allowed ten percent (10%) of all accessory structures on a lot, located at 171 West 1400 North, Bountiful, Davis County, Utah, with the following conditions:

1. Prior to final inspection / certificate of occupancy the Applicants shall resolve concerns over the shared drive access with the property owner to the east to the satisfaction of the City Engineer.
2. Prior to final inspection / certificate of occupancy the Applicants shall replace existing uneven and/or broken sidewalk sections and sections that may be damaged during construction.
3. Prior to final inspection / certificate of occupancy the Applicants shall sign a Deed Restriction drafted by Planning Staff and have it recorded at the County which will serve notice that although the accessory structure has a kitchen in it, it is not an accessory dwelling unit (ADU) and cannot be used as a separate rental unit.

The Conditional Use Permit for construction of an accessory structure that exceeds the ten percent (10%) allowed for all accessory structures on a lot was approved on September 7, 2021, and this written form was approved on September 7, 2021.

Sean Monson
Planning Commission Chairman

ATTEST: Darlene Baetz
Recording Secretary

Commission Staff Report

Subject: Preliminary Subdivision Approval for the
Creek Side Views Subdivision
Address: 1400 South Davis Blvd.
Author: City Engineer, City Planner
Department: Engineering, Planning
Date: September 7, 2021



Background

Dan and Amber Crane, 765 E 1500 S, owners of the 5.58 acre parcel on the west side of Davis Blvd. at approximately 1400 South, have applied for approval of a new 6-lot subdivision to be named Creek Side Views. The parcel is located in the R-4 zone. In recent years the property has been vacant, and the single-family dwelling which was constructed on the property was demolished in 2017. A previous development concept which included higher density townhomes and a connection from Davis Blvd to Mill Creek Way was proposed for this property, but did not complete the approval process.

Analysis

Location: The property is bounded on the north by the Mill Creek canyon and the road embankment fill for Davis Blvd. where the street crosses the Mill Creek canyon. The east boundary fronts Davis Blvd for approximately 257 feet. The south and west boundaries abut the Weber Basin irrigation reservoir, Valley View Elementary School and the City's Mill Creek Reservoir site. A narrow paved access road extends east from the end of Mill Creek Way at the Woodland Addition subdivision boundary to the north side of Valley View Elementary and the Mill Creek reservoir site, but does not access the site of the proposed subdivision. This small subdivision is not anticipated to generate new traffic volumes which will adversely impact Davis Blvd., and the site is easily accessed from the north or south on Davis Blvd. An existing paved and fenced "kiddie walk" path on the north side of the irrigation reservoir provides access to the elementary school from Davis Blvd.

Utilities: Generally speaking, the proposed development can be served by all necessary utilities, but there are some unique conditions to address. Storm Drain, culinary water and irrigation infrastructure pass through the development, or are immediately adjacent to the west boundary. The sanitary sewer is by far the most distant utility from the proposed subdivision and will require the installation of approximately 900 feet of pipe and 5 manholes to reach the western end of the cul-de-sac. Bountiful Irrigation will require a new main to be installed as the existing main will conflict with the alignment of the roadway. Bountiful Irrigation will also replace approximately 200 feet of 60-year-old pipe on the west side of the development. Culinary water service will be provided from a new main which connects the Mill Creek Booster Station discharge through the development to the existing culinary main in Davis Blvd. Storm drainage is proposed to be collected at two locations along the west side of lots 3 and 4. The lower basin on Lot 4 will act as a retention basin, with no outlet to the creek or the existing storm drain pipe which crosses nearby on the reservoir site. This retention component is a new

requirement of the most recent update to the City's storm water ordinance, and must have adequate capacity to hold approximately 0.6 of an inch of water per square foot of area in the subdivision. This will be the first subdivision in the City which will need to meet this new requirement. The upper storm water basin will function as a detention facility and discharge to the existing storm drain system. Because this property is bounded by Mill Creek, Davis County will also need to review and approve any plans for construction which will affect the creek.

Proposed Right of Way Improvements and Access: The applicants have submitted a conceptual design for a 280 foot long cul-de-sac which connects to Davis Blvd. The street cross section is proposed as a standard 54 ft right of way with a cul-de-sac radius of 54 feet. The proposed grade of the cul-de-sac is labeled at 5%, which exceeds the code requirement for a maximum downhill slope of 4%. At a 5% slope, approximately 10 ft of fill is required to construct the cul-de-sac. If revised to 4%, the fill height would increase to approximately 13 feet. Staff does not object to the grading as proposed, as this will easily accommodate the construction of walk out basements from these lots.

Staff has requested the applicants provide a trail easement from the north west corner of the property, along the creek to Davis Blvd. An exact alignment has not been determined, but could potentially coincide with Davis County's easement requirements.

Lot Analysis: Current requirements for the R-4 zone list the minimum lot size as 8,000 square feet, with a minimum lot width of 70 feet. The smallest lot (on the south side of the development) is proposed at 12,416 square feet, and the lots on the north side of the road are all significantly larger than an acre due to their proximity to the Mill Creek Canyon. All lots exceed the 70 ft minimum width as required by Code. The applicants have suggested that Lot 6 may be used for a private recreation facility, rather than a single-family residential lot. Private recreation facilities require a Conditional Use Permit which would need a separate approval from the Planning Commission at a future date.

Department Review

This memo has been reviewed by the City Attorney, Planning Director and Planning Department staff.

Recommendation

Staff would support the Planning Commission forwarding a recommendation for Preliminary Approval of the Creek Side Views Subdivision with the following conditions:

1. Comply with Davis County ordinances for development adjacent to Mill Creek drainage.
2. Replace any damaged curb, gutter and sidewalk along the Davis Blvd frontage.
3. Prepare a final plat and construction drawings prior to making application for Final Approval of the subdivision.
4. Provide a current title report.

5. Sign a Development Agreement.
6. Post an acceptable form of bond for the construction of the subdivision improvements.
7. Pay all required fees.

Significant Impacts

None

Attachments

1. Aerial photo showing the proposed location
2. A copy of the preliminary plan.

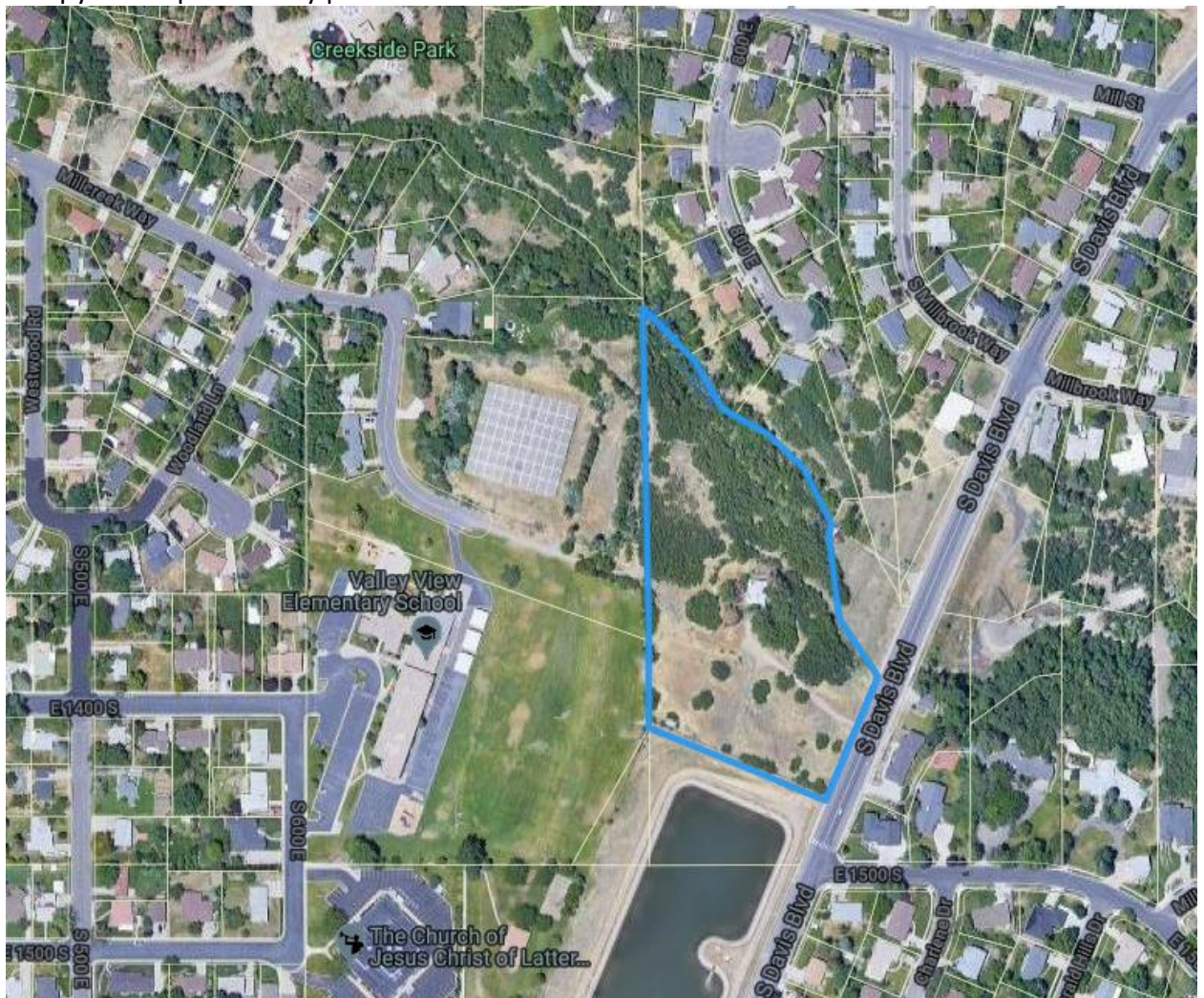
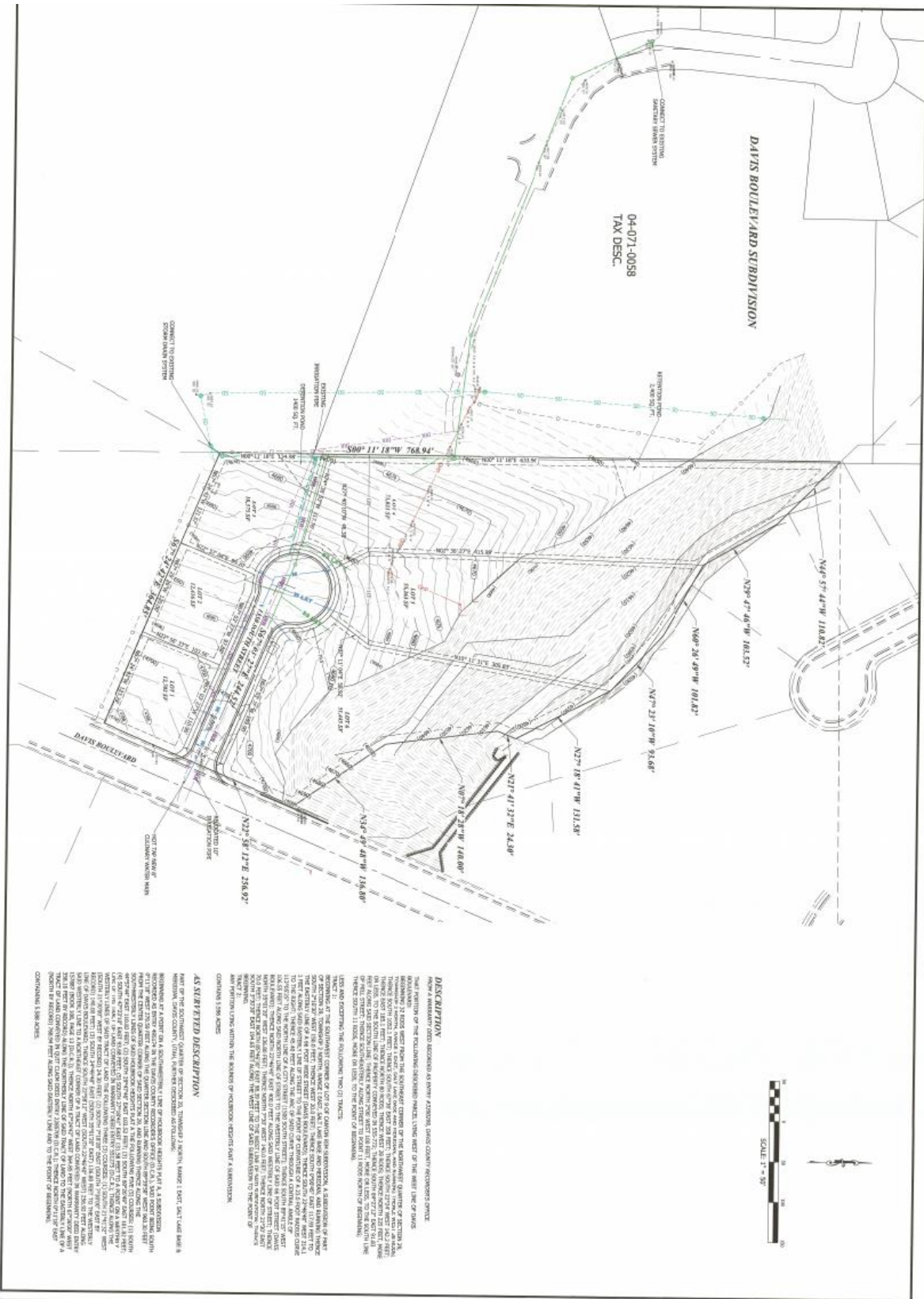


Figure 1 Location of Proposed Creek Side Views Subdivision



04-071-0058
TAX DESC.

DAVIS BOULEVARD SUBDIVISION

DESCRIPTION
 THIS PLAN SHOWS THE LAYOUT OF THE PROPOSED SUBDIVISION, INCLUDING THE LOTS, STREETS, AND UTILITY CONNECTIONS. THE LOTS ARE BOUND BY THE FOLLOWING DIMENSIONS: LOT 1, 100.00' X 100.00'; LOT 2, 100.00' X 100.00'; LOT 3, 100.00' X 100.00'; LOT 4, 100.00' X 100.00'; LOT 5, 100.00' X 100.00'; LOT 6, 100.00' X 100.00'; LOT 7, 100.00' X 100.00'; LOT 8, 100.00' X 100.00'; LOT 9, 100.00' X 100.00'; LOT 10, 100.00' X 100.00'. THE STREETS ARE BOUND BY THE FOLLOWING DIMENSIONS: SOUTH 700 EAST STREET, 100.00' X 100.00'; DAVIS BOULEVARD, 100.00' X 100.00'. THE UTILITY CONNECTIONS ARE BOUND BY THE FOLLOWING DIMENSIONS: WATER, 100.00' X 100.00'; SEWER, 100.00' X 100.00'; GAS, 100.00' X 100.00'. THE PROPOSED SUBDIVISION IS BOUND BY THE FOLLOWING DIMENSIONS: 100.00' X 100.00'.

REV #	COMMENT	DATE

DAVIS BLVD SUB
 1303 SOUTH 700 EAST STREET
 LOCATED IN THE SW 1/4 OF SECTION 26, T.2N., R.1E., S.1R.4M.
 BOUNTIFUL CITY, DAVIS COUNTY, UTAH

PRELIMINARY
SUBDIVISION

1-70 South 600 West
 Woods Cross, UT 84010
 Phone: 801.298.2236
 www.Entellis.com



MAYOR
RANDY C. LEWIS

CITY COUNCIL
Millie Segura Bahr
Kate Bradshaw
Kendalyn Harris
Richard Higginson
Chris R. Simonsen

CITY MANAGER
Gary R. Hill

Bountiful City, Utah
Conditional Use Permit Approval
of a Change of Use in the General Commercial (C-G) Subzone

A public hearing was held on August 17, 2021, at the Bountiful City Hall located at 795 South Main Street, Bountiful, Utah 84010, to consider the request of Alex Winder, representing Thirst Drinks, for a Conditional Use Permit allowing a change of use from an Automobile Sales/Rental New/Used/Lease use to a Fast-Food Restaurant with a Drive-Up use located at:

Parcel 03-041-0008
1545 South Main Street, Bountiful, Davis County, Utah

The Bountiful City Planning Commission heard the matter and considered the statements of the applicant, City staff, and the public. As a result, the Planning Commission makes the following findings:

1. This matter is properly heard before the Planning Commission.
2. Appropriate public notice has been provided and a public hearing held.

The Bountiful City Planning Commission hereby grants this Conditional Use Permit for an Automobile Sales/Rental New/Used/Lease use to a Fast-Food Restaurant with a Drive-Up use located at 1545 South Main Street, Bountiful, Davis County, Utah, with the following conditions:

1. Prior to applying for a building permit the Applicant shall:
 - a. Show plans to add one (1) street tree between the two (2) drive accesses on the street frontage of 200 West, and three (3) street trees in the new landscaped area on the western and southwestern Main Street frontage.
 - b. Show plans to add one (1) ornamental tree and/or shrubs to meet the Code in the two (2) new landscape areas next to the building (one (1) on the east side and one (1) on the west side).
 - c. Add trees and shrubs in the southwest corner, where the drive access is being closed off and filled with landscaping, and along the Main Street frontage.
 - d. Show the plan to add a sign stating “Exit Only – Do Not Enter” or similar sign to the northwest drive access, and add a sign stating “Right Turn Only” or similar sign to the exit out of the drive-through line and onto 200 West.

The Conditional Use Permit for a change of use from an Automobile Sales/Rental New/Used/Lease use to a Fast-Food Restaurant with a Drive-Up use was approved on August 17, 2021, and this written form was approved on September 7, 2021.

Sean Monson
Planning Commission Chairman

ATTEST: Darlene Baetz
Recording Secretary