

Bountiful City
Planning Commission Minutes
May 1, 2018
6:30 P.M.

Present: Chair – Sean Monson; Planning Commission Members – Jesse Bell, Jim Clark, Tom Smith and Sharon Spratley; City Council Representation – Richard Higginson; City Attorney – Clint Drake; City Planner – Chad Wilkinson; City Engineer – Paul Rowland; and Recording Secretary – 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 April 17, 2018.

Sharon Spratley made a motion to approve the minutes for April 17, 2018 with two corrections. Item #5, paragraph 11 should say ...Bangerter Farms *wanted* to remove any of the Agriculture... and paragraph 13 should say ... Monson and Spratley voting *aye*.

Richard Higginson seconded the motion. Voting passed 6-0 with Commission members Bell, Clark, Higginson, Hill, Monson, and Spratley voting *aye*. Commission member Smith abstained.

3. Consider preliminary and final subdivision approval for Culvers located at 620 N 500 W, Mark Young representing CG & S LLC, applicant.

Mark Young, owner of property and Matt Young, owner of Culvers were present. Paul Rowland presented staff report.

Mr. Mark Young is requesting preliminary and final approval of the Culvers Commercial Subdivision. The commercial development was granted site plan approval on February 13 of this year. The developer is now anxious to subdivide the property into two commercial lots. The property, which includes 3.09 acres, is located at 622 N. 500 West, where the J&L Garden Center was previously located since the early 1970's. The proposal is to divide the parcel into two commercial lots, lot 1 containing 0.96 acres and lot 2 containing 1.99 acres, which leaves 0.14 acres to be dedicated to the UDOT for access off of 500 West (Highway 89). The property is located in the CH zone, which allows for this type of commercial subdivision.

Both lots meet the zone required lot size and frontage, with frontage along 500 West Street. The actual access driveway will be on a shared access easement located on the property just north of this parcel. The UDOT imposed requirements for access and a cross access easement were reviewed and approved as part of the site approvals in February. Both of those easements, along with the necessary public utility easements are shown on this final plat. All necessary utilities and improvements were reviewed and approved as part of the site plan review in February. There will not be the need for a development bond, because the commercial development is not part of a condominium project, and the reconstruction of the 500 West sidewalk, curb and gutter and paving are covered by the UDOT permit which was required by the DOT to work in their right of way.

Recommend preliminary and final approval of Culvers Commercial Subdivision with the following 4 conditions:

1. Pay all fees.
2. Make the few necessary red-line corrections to the subdivision plat.
3. Provide a current title report.
4. Sign the Development Agreement.

Mr. Rowland stated that Mr. Young has a development bond for UDOT's right away to meet access and no bond is needed for Bountiful. There will be a driveway connection to the north. Commission member Hill stated that there is a correction needed for the North bearing on the current set of plans.

Richard Higginson made a motion that to Planning Commission forward to the City Council a recommendation for preliminary and final subdivision approval for Culvers located at 620 N 500 W.

Sharon Spratley seconded the motion. Voting passed 7-0 with Commission members Bell, Clark, Higginson, Hill, Monson, Smith and Spratley voting aye.

4. Consider final plat approval for Stone Creek Estates Phase 1 & 2 located at 259 E 500 South, Brock Johnston, applicant.

Brock Johnston was present. Paul Rowland presented staff report.

Mr. Brock Johnston of Rainey Homes is requesting final approval of Phase 1 and Phase 2 of the Stone Creek Estates Subdivision, which is an overall 50 lot subdivision of the long vacant Keller property located at the top of 400 North Street. These first two phases include 18 lots in Phase 1 and seven lots in Phase 2. The overall 50 lot development was granted preliminary subdivision approval on September 12 of last year.

As described in the analysis for the preliminary approval of this subdivision, the first two phases to be constructed include the area to the south and west of the 400 N/Bountiful Blvd. diagonal and the lots fronting the southwest side of 400 N./Bountiful Blvd. Phase 1 must be constructed first because it includes the completion of 1500 East along the west side of the project which is necessary before 400 N./Bountiful Blvd. can be closed for utility work. Because the utility work in Phase 2 will be so extensive, the full road will need to be closed to all non-construction traffic, leaving 1500 East as a very important detour. To restate what was covered in the preliminary approval memo, Moss Hill Drive (1500 East) must be completed with walk, C&G and paving, including the portion which is on the Eubank property, before Phase 2 can be constructed.

Rainey Homes has submitted construction drawing for the work included in Phase 1 and Phase 2, which have been checked by the Engineering Department. Preliminary Bond amounts have been estimated from the construction quantities taken from the design drawings

As with all subdivisions which include the construction of public improvements, the Developer will be required to enter into a Development Improvement Agreement with the City prior to the commencement of any construction. The agreement includes, among other things, the off-site water improvement costs which will be prorated to these lots. These costs have been discussed with the Stone Creek Estates developer and the owners of the property on the north side of the creek, and were

discussed with the Planning Commission and City Council at the time of the preliminary approval. It is also worth mentioning that, although not a part of Phase 1 or Phase 2, the requirement still exists for the paving of the extension of Eagle Ridge Drive when Phase 3 is constructed. That requirement was spelled out in the preliminary subdivision approval memo and will be set as a condition of final approval and a part of the Development Agreement for Phase 3.

Recommend final approval of Stone Creek Estates Subdivision Phase 1 and Phase 2 with the following 11 conditions:

1. Follow all of the conditions listed with the preliminary approval.
2. Sign the Development Improvement Agreement.
3. Post the necessary bonds and pay the fees as outlined in the bond letter for each phase.
4. Pay the Storm Water Impact Fee as described in the Preliminary Memo.
5. Provide a current title report.
6. Receive approval from Davis County Flood Control for any modification to the storm water outfall.
7. Construct the full width of Moss Hill Drive including all curb and gutter and walk on both east and west side.
8. Reconstruct the full width Bountiful Blvd. asphalt surface where the new utilities are installed.
9. Replace any damaged or settled curb and gutter and sidewalk along Moss Hill Drive and Bountiful Blvd. and install new where it doesn't currently exist.
10. Compliance with all Bountiful City zoning ordinances and subdivision construction requirements.
11. Make the necessary red-line corrections to the plat maps.

Mr. Johnston spoke about the interest in this area and plans for the new homes.

Mr. Bell expressed his thanks for the easement and dedication of property to the City for the expansion of the Bountiful City trails.

Jesse Bell made a motion to approve the final plat approval for Stone Creek Estates Phase 1 & 2 located at 259 E 500 South.

Tom Smith seconded the motion. Voting passed 6-0 with Commission members Bell, Clark, Higginson, Monson, Smith and Spratley voting aye. Commission member Hill abstained.

5. PUBLIC HEARING – Consider approval of a Conditional Use Permit for an Electronic Message Center for Affordable Title Loans located at 21 W 500 South, Stevan Vasic, applicant.

Stevan Vasic was present. Mr. Wilkinson presented the staff report.

Mr. Stevan Vasic, representing Affordable Title Loan at 21 W 500 S, requests a Conditional Use Permit to replace a portion of an existing panel on the pole sign with an Electronic Message Center (EMC). The subject property is located on 500 South in the General Commercial (C-G) Zone which allows EMC's in this location as a conditional use, but only as part of a permitted freestanding (pole) sign.

The subject property is currently improved with a pole sign, which has been in existence since at least 1986. The proposal is to remove half of the existing panel and replace that portion with an EMC. The

current size of the sign is 5' x 12', meaning that 30 square feet would be fixed signage and the other 30 square feet would be EMC (below the maximum of 64 square feet).

The existing pole sign is double sided and faces generally east-west. The proposed EMC is also double-faced and 30 square feet in size on each side, which is under the maximum allowed, and constitutes 50% of the entire sign area, as required by ordinance.

Mr. Wilkinson stated that the drawing that was attached to the packet showed the size of the sign to be 6' x 12'. This size would not be allowed, the maximum that could be allowed would be 64 square feet. Mr. Vasic confirmed that revised drawings with the corrected size of 5' x 12' would be turned in with the sign permit.

Staff recommends granting the conditional use approval of the proposed sign incorporating an electronic message center in with the fixed pole signage with the following 4 conditions:

1. The sign shall be operated in accordance with the provisions of the Bountiful City Code,
2. Any and all fees shall be paid,
3. The sign shall be turned off between the hours of 11 pm and 6 am,
4. The sign installer shall provide the City written evidence that the sign was installed according to the provisions of the sign ordinance.

Chair Monson opened and closed the Public Hearing at 7:14 pm without comments.

Commission Members discussed the enforcement and permitted uses of the signs.

Mr. Wilkinson stated that the luminance of electronic message signs is enforced when the City sees a problem. Due to the residential proximity, a conditional use permit is used instead of a permitted use with restrictions.


Sharon Spratley made a motion that the Planning Commission approve the Conditional Use Permit for an Electronic Message Center for Affordable Title Loans located at 21 W 500 South with the 4 conditions outlined by staff.

Richard Higginson seconded the motion. Voting passed 7-0 with Bell, Clark, Higginson, Hill, Monson, Smith and Spratley voting aye.

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

1. Next Planning Commission meeting – June 5, 2018.
2. Appealed Call Variance to go to Administrative Law Judge.

Chair Monson ascertained there were no other items to discuss. The meeting was adjourned at 7:21 p.m.


Chad Wilkinson, Bountiful City Planner