



BOUNTIFUL CITY PLANNING COMMISSION

**Tuesday, May 2, 2023
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 801-298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome
2. Approval of the meeting minutes for April 18, 2023
 - Review and action
3. 1385 South 500 West – Conditional Use Permit for a Bar/Tavern
Senior Planner Amber Corbridge
 - Review, public hearing, and action
4. 1385 South 500 West - Preliminary and Final Site Plan Review for Bar/Tavern
Senior Planner Amber Corbridge
 - Review and action
5. Planning Director's report, update, and miscellaneous business
6. Adjourn

Draft Minutes of the
BOUNTIFUL CITY PLANNING COMMISSION
April 18, 2023 – 6:30 p.m.

Location:	Council Chambers	City Hall, 795 South Main Street, Bountiful UT 84010
Present:	Commission Members	Lynn Jacobs (Chair), Alan Bott (Vice-Chair), Jim Clark, Krissy Gilmore, Sean Monson, Cecille Price-Huish and Sharon Spratley
	City Engineer	Lloyd Cheney
	Planning Director	Francisco Astorga
	Planner	Nicholas Lopez
Excused:	City Attorney	Clinton Drake
	Recording Secretary	Darlene Baetz

1. Welcome.

Chair Jacobs called the meeting to order at 6:30 p.m. and welcomed those in attendance.

2. Approval of the minutes for March 21, 2023.

MOTION: Commissioner Gilmore made a motion to approve the minutes as written. Commissioner Bott seconded the motion.

VOTE: 7-0 in approval.

3. 4316 Summerview Circle, 4322 Summerview Circle and City Owner Property – Lot Line Adjustment

City Engineer Lloyd Cheney presented this item.

GES Investments, applicant, requested approval of a lot line adjustment to the 3 properties located at 4316 S Summerview Circle, 4322 S Summerview Circle, and the City-owned property. This proposed action includes a previous lot line adjustment between Lot 208 and 209 which was approved in February 2022. The modifications for these three lots will be recorded at the completion of the projects approval.

MOTION: Commissioner Monson made a motion to forward a positive recommendation to the City Council for the Lot Line Adjustment with the two (2) conditions outlined by staff. Commissioner Clark seconded the motion.

VOTE: 7-0 in favor.

CONDITIONS OF APPROVAL:

1. Prepare a final plat after making any minor corrections identified during the review process.
2. Provide a current title report for Lots 208 and 209.

4. 1400 East Canyon Creek Dr – Preliminary Subdivision Approval for Bement Subdivision

1
2 City Engineer Lloyd Cheney presented this item.
3

4 Brent Bement, applicant, requested preliminary approval for a one-lot 2-acre subdivision located at
5 the eastern end of Canyon Creek Road. This property is heavily vegetated and has construction of
6 North Canyon Trailhead that extended the roadway improvements, sanitary sewer and culinary water
7 infrastructure to serve the proposed lot. Depending on the configuration of a single-family dwelling,
8 it may be necessary for Mr. Bement or future owners to install a pressure tank and pump system in
9 the house to boost water pressures to higher levels. Irrigation needs will be met through the City's
10 culinary water system as pressure irrigation systems do not serve this area. The proposed lot meets
11 or exceeds the minimum requirements for lot width and buildable area, most of the proposed lot has
12 a slope which is less than 30%.
13

14 An approved Conditional Use Permit is required for subdivisions in the Residential Foothill subzone.
15

16 Commissioners discussed the development of the remaining 69.42 acres. Staff noted that there would
17 be constraints for the development of the remaining 69.42 acres.

- 18 1. Meeting lot size and slope requirements of the Residential Foothill zone.
- 19 2. Identification of appropriately sized building pad
- 20 3. Expansion of the culinary water system to serve the proposed development for residential
21 services, and to provide fire protection.
- 22 4. Providing a second access per 14-4-117 E (1).
23

24 MOTION: Commissioner Spratley made a motion to forward a positive recommendation to City
25 Council for the Preliminary Subdivision Approval for Bement Subdivision with the three (3)
26 conditions outlined by staff with minor rewording changes. Commissioner Gilmore seconded the
27 motion.
28

29 VOTE: 7-0 in favor.
30

31 **CONDITIONS OF APPROVAL:**
32

- 33 1. Verify the name "North Canyon Estates" has not been used previously.
- 34 2. ~~Apply for a Variance~~ *Receive a Variance will be granted* for relief from the requirement to
35 provide a second access (14-4-117 E (1)).
- 36 3. ~~Apply for~~ *Receive a Conditional Use Permit* (14-4-118 (A)).
37

38 **5. Planning Commission Training: Open Public Meeting Act – City Attorney Clint Drake.**
39

40 Item tabled to another meeting.
41

42 **6. Planning Director's report, review of pending applications and miscellaneous business.**
43

44 Bountiful City had several General Plan public events. More information is available on-line. There
45 will be one more event at the BDAC on April 27, 2023.
46

47 **7. Adjourn**
48

1 Chair Jacobs adjourned the meeting at 7:51 p.m.
2

DRAFT

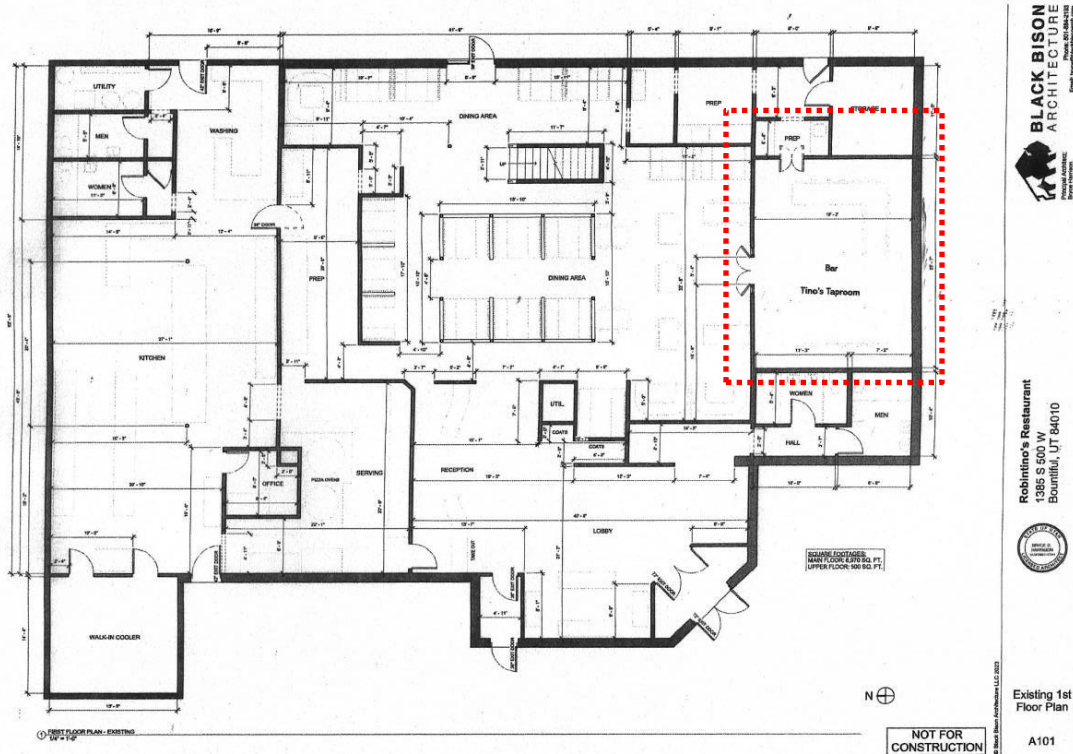
Planning Commission Staff Report



Subject: Conditional Use Permit and Preliminary/Final Architectural and Site Plan for a Bar Establishment at 1385 S 500 W
Author: Amber Corbridge, Senior Planner
Department: Planning
Date: May 2, 2023

Background

Tali Bruce, the owner of Robintino's restaurant, is requesting both a Conditional Use Permit (CUP) and Architectural Site Plan Approval of a new bar establishment, Tino's Taproom, inside Robintino's Restaurant. The applicant intends to establish a full bar including the food menu of Robintino's Restaurant, located in the Heavy Commercial (C-H) Zone. The bar area is labeled as a closed-off room, noted in the floor plan below.



The full-bar meets the state code requirements for serving liquor at the Robintino's location, 1385 S 500 W. The local consent for this license was approved by the City Council on April 11, 2023, conditional upon receiving CUP and Site Plan approval.

The bar area, or Tino's Taproom, would be approximately 500 square feet, including the prep area, and be limited to patrons 21 years and older. These patrons would enter through the main restaurant doors and would be required to show an ID upon entry. The bar hours of operation would be the same hours of operation as the restaurant, 11 AM to 9 PM on the weekdays, and 11 AM to 10 PM on the weekend.

Analysis

Meets Conditional Use Standards

The Planning Commission shall consider how the proposed bar meets the following Conditional Use Standards (14-2-506.C):

1. Relates to the surrounding uses.
2. Impacts the existing surrounding developments.
3. Appropriate buffering of uses and buildings, proper parking and traffic circulation, and use of building materials and landscaping, which are in harmony with the area.

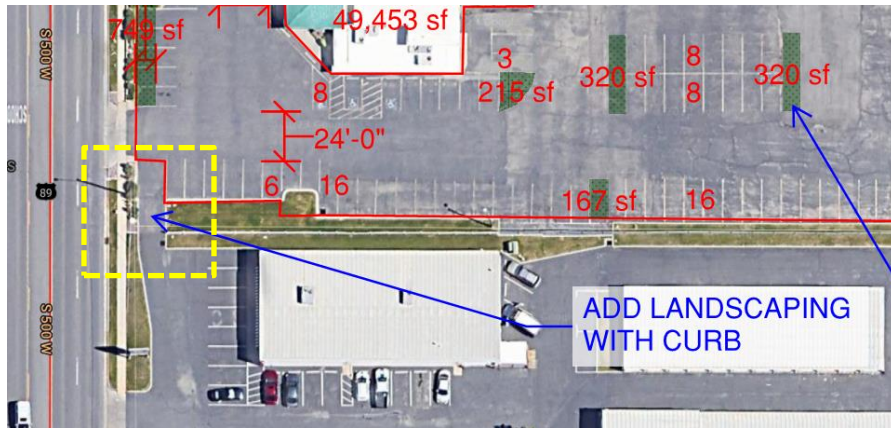
The proposed bar would be inside the existing restaurant and operate as a separate use. The bar hours are limited to the restaurant hours of operation, noted above.

Potential concerns associated with the proposed bar include parking, security, and noise. These potential negative impacts would be mitigated through the following:

- 1) The existing parking lot exceeds the number of stalls required for the restaurant and bar. The parking lot consists of over ninety (90) stalls, where eighty-one (81) stalls would be required for both the restaurant and bar use. These numbers are based on the restaurant having 140 chairs, and the bar having 48 chairs.
- 2) The area for the bar would be limited to 500 square ft and is closed off by double doors. The size and location of the bar fits in with the surroundings.
- 3) The entrance facing the street is considered the main entrance. This is the only entrance used for restaurant patrons and would be the only exterior entrance for bar patrons.

The traffic circulation for the bar would not significantly change the flow of traffic for the restaurant. The two main drive approaches along 500 West will remain in place, as UDOT stated that the proposed use will not significantly impact the use of the existing drive approaches (see attached UDOT approval letter).

The applicant is proposing to implement the staff suggested Site Plan (see attached) to include more landscaping along the southwest property line, where an existing paved aisle exists. This access does not include a legal easement (see attached documents) and does not meet minimum aisle width standards, therefore is not required to remain in place.



Code Compliance

The architectural and site plans have been reviewed by staff, where setbacks, height, landscaping, parking, and other applicable standards are reviewed for compliance. The following items are notable review comments:

General Regulations.

The staff recommended site plan (see attached) includes additional elements to bring the site up to code as much as physically possible, such as adding landscape islands and a 10' front yard landscape setback. The existing restaurant structure does not meet the required side yard setback and is considered legal nonconforming. There are no exterior changes being made to the building.

Landscaping.

As noted above, the staff recommended site plan includes landscape island additions and setbacks which break up some hard-surface areas. The existing parking lot does not meet the five percent (5%) minimum gross parking surface landscaping; however, to meet interior parking design (14-15-106.A.1) the applicant will need to implement the staff recommended site plan or one that includes one of the following designs per code:

- a. Five (5) feet by five (5) feet tree diamonds placed not more than six (6) parking spaces apart and located at the intersection of parking space striping. Tree diamonds shall be used only with ninety (90) degree parking spaces;
- b. Minimum five (5) foot wide landscaped medians with trees planted forty (40) feet apart; or
- c. Other similar designs that disperse landscaping throughout a parking area, to be determined by the Planning Commission.

Additionally, the existing parking lot area does not meet the minimum ten (10) foot front yard setback (14-16-109(A)(2)) and will need to be implemented, like shown on the staff recommended site plan.

Engineering, Building, Power, and Fire Comments

The floor plans (see attached) are still in review by the Building Department, regarding the interior design and layout of the bar. Fire and building codes would require a maximum occupancy of 50 people for this bar square footage. The floor plan needs to show the number of

chairs being proposed for each area. Staff recommends the applicant resubmit a detailed floor plan showing the number of fixed chairs and tables, as well as the moveable chairs and tables to verify the number of occupants being proposed.

Department Review

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

Significant Impacts

The development would be in an area with existing urban infrastructure levels. Impacts from the development of this property have been anticipated in the design of the existing storm water, sewer, and water transportation systems. The conditions of approval are designed to mitigate other impacts anticipated by the development.

Recommendation

Staff recommends that the Planning Commission review the bar establishment, hold a public hearing, and approve the Conditional Use Permit subject to the Conditions of Approval found below.

Staff recommends that the Planning Commission review the Architectural and Site Plan for a bar establishment and forward a positive recommendation to the City Council, subject to the Conditions of Approval found below.

1. Submit a detailed floorplan, showing the number of fixed chairs and seating for both the bar and restaurant. The bar area is limited to 50 occupants, including bartender and/or staff.
2. Implement the staff recommended site plan to meet the minimum landscaping requirement.
3. Satisfy all department review comments.

Attachments

1. Site Plan
2. UDOT Letter
3. Easement Letter
4. Floor Plans

UDOT Pre-Application Permit Meeting

Route: US-89 MP: 388.05

Pre-App # PA-135924 Applicant: Natalie Bruce

TIS Level / Permit Review Fee:

- Permit Not Required

Required Documents - for more Information visit:

<https://www.udot.utah.gov/connect/business/permits/access-management/>

- None

Site Plan & Access Notes:

- Due to the reconfiguration of the restaurant seating, no building footprint change, or change of type of use (all restaurant uses). The estimated change of customer base is not considered to meet the 20% change to activate the need to comply with R930-6. Therefore the grandfathered state of the business and access to the highway will be allowed to continue for the time being.
- Further development or change of use of any of the property (restaurant as well as the “home” being used as an office for the restaurant) may meet the threshold to require a new Conditional Access Permit. UDOT will rely on the city to help keep apprised of any future changes.

Traffic Impact Notes:

- No permit required at this time.

Utility Notes:

- No changes at this time

Drainage Notes:

- No changes at this time

Other Notes:

- This pre-application is being terminated after posting notes.

Robintino's – no legal easement with driveway at SW corner

1. statement from the building owner, Bob McCall, who paved the driveway (not a legal easement)
 2. statement from the building owner to the South, Jack Yoho, who agreed to the paved driveway access (not a legal easement)
 3. researched decades worth of ownership with Davis County.
- See attached documentation.
Traced back to its days as a lumber yard, zero legal easement

I, Bob McCall-being the owner of the property located at 1485 S. 500 W., Bntfl., UT. Listed as Papeleo LLC, Series Restaurant, state there is no legal right of way between this property and the two acres adjacent to the south, owned Jack Yoho. Jack and I agree to keep the West drive access between the properties open.

Signed, Bob McCall. 4-12-23

FEB 8 1963 38651

Recorded at Request of

at 11 P. M. Fee Paid \$ 2.00

EMILY T. ELDREDGE

President, Davis County

575

by Grace R. Bybee

Dep. Book 260

Page 575

Ref.: Plat. Lot 4, Block 7, Plat 7771C
82 1/4 - 25 - 271 - 1W

247555

QUIT-CLAIM DEED

HAL N. HARRISON and MARION S. HARRISON, his wife, grantors
of Bountiful, County of Davis, State of Utah, hereby
QUIT-CLAIM to ANDERSON LUMBER COMPANY, a Utah Corporation

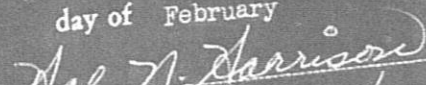
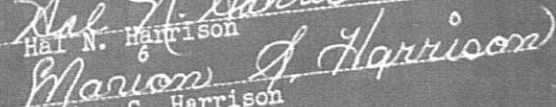
of _____ County of _____, State of Utah, for the sum of
TEN DOLLARS and other good and valuable considerations, the following described tract
of land in Davis County, State of Utah:

Beginning 400 feet East of the East line of a Highway at a point 38.85 rods South and 301 feet, more or less, East of the Northeast corner of the Southeast Quarter of Section 25, Township 2 North, Range 1 West, Salt Lake Meridian, in the City of Bountiful, and running thence South 251.62 feet, more or less, to the South line of Lot 4, Block "K" North Mill Creek Plat, Bountiful Townsite Survey; thence West 400 feet to the East line of said Highway; thence North 177.37 feet, more or less, along said Highway to a point 43.35 rods South of the North line of said Southeast Quarter; thence East 157.74 feet, more or less, to a point 3.56 rods East of the East line of said Section 25; thence North 74.25 feet; thence East 242.26 feet, more or less, to the point of beginning.

- Abstracted
- Indexed
- Entered
- Platted
- On Margin
- Compared

WITNESS the hand of said grantors, this 7th day of February A.D. 1963

Signed in the presence of

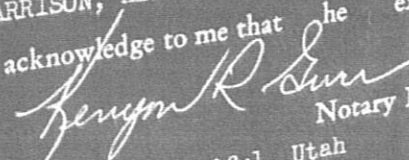

 Hal N. Harrison

 Marion S. Harrison

STATE OF UTAH, } ss.
County of Davis

On the 7th thousand nine hundred and 63

day of February A.D. one personally appeared before me

HAL N. HARRISON AND MARION S. HARRISON, his wife the signer of the foregoing instrument, who duly acknowledge to me that he executed the same.


 Notary Public.
 Address: Bountiful, Utah

by *Grace H. Ryherd* Dep. ...

Address

Mail tax notice to

Ret.: *10/11/63*
10/11/63

279294 QUIT-CLAIM DEED

FRANK MILLER and LUCIANNE E. MILLER, his wife
of Bountiful, County of Davis, State of Utah, hereby

QUIT-CLAIM to
ARTHUR E. LIFFERTH and OKLA R. LIFFERTH, his wife, as joint
tenants, not as tenants in common, with full rights of survivorship,
of Centerville, Davis County, Utah
TEN and no/100ths
and other good and valuable consideration
the following described tract of land in Davis
State of Utah:

Beginning on the east line of Highway 91 at a Hub & Tack
marking the Southwest corner of the Frank Miller and Lucianne
E. Miller property at a point which is S89°56'W., 400.00 ft
and N0°07'W 185.47 ft from the southwest corner of Meadow
Lane Subdivision Plat "E"; and running thence S0°07'E, 8.10
ft to the northwest corner of property conveyed to Arthur E.
Lifferth and Okla R. Lifferth; and thence N89°56'E 157.74 ft,
thence N0°07'W 7.10 ft to the Hub & Tack marking the southeast
corner of Frank Miller and Lucianne E. Miller property, thence
N89°42'08"W 157.75 ft to the point of beginning.

According to the survey dated June 3, 1963, prepared by the
Great Basin Mapping & Surveying Company, a copy of which
survey is attached hereto.

- Abstracted
- Indexed
- Entered
- Platted
- On Margin
- Compared

WITNESS the hand of said grantor s, this *3rd* day of
February, A. D. one thousand nine hundred and sixty-five

Signed in the presence of

Frank Miller
Lucianne E. Miller

STATE OF UTAH,
County of SALT LAKE } ss.

On the *3rd* day of February
thousand nine hundred and sixty-five
personally appeared before me

A. D. one

executed the

202906 WARRANTY DEED

HAL N. HARRISON and MARION S. HARRISON, his wife,
of Bountiful, County of Davis, State of Utah, hereby grantors,
CONVEY and WARRANT to _____, State of Utah, hereby

ANDERSON LUMBER COMPANY, a
corporation of Utah,

of Ogden, Utah
\$10.00 and other good and valuable considerations,

grantee
for the sum of
DOLLARS,

the following described tract of land in Davis County,
State of Utah:

Beginning 400 feet East of the East line of a Highway at a point 38.85 rods South and 301.0 feet, more or less, East of the Northeast corner of the Southeast Quarter of Section 25, Township 2 North, Range 1 West, Salt Lake Meridian, and running thence South 15.25 rods, more or less, to the South line of Lot 4, Block "K", North Mill Creek Plat, Bountiful Townsite Survey, thence West 400.0 feet to the East line of said Highway; thence North 10.75 rods, more or less, along said Highway to a point 43.35 rods South of the North line of said Southeast Quarter; thence East 157.74 feet; thence North 4.50 rods; thence East 242.26 feet, to the point of beginning.

Platted Abstracted
On Margin Indexed
Compared Entered

WITNESS, the hands of said grantors, this 18th day of April, A. D. 1960.

Signed in the Presence of

Hal N. Harrison
Marion S. Harrison

STATE OF UTAH,
County of DAVIS } ss.

On the 18th day of April, A. D. 1960
personally appeared before me HAL N. HARRISON and MARION S. HARRISON, his wife,

the signers of the within instrument, who duly acknowledged to me that they executed the

WARRANTY DEED

HERBERT N. HYDE AND ASSOCIATES, a partnership, consisting of
 Herbert N. Hyde, Ruby G. Hyde and Roland R. Wright,
 of Salt Lake City, County of Salt Lake, State of Utah, hereby
 CONVEY and WARRANT to _____ grantors

HERBERT N. HYDE and RUBY G. HYDE, his wife, as joint tenants
 with full rights of survivorship

of Salt Lake City, Salt Lake County, State of Utah
 Ten and no/100ths ----- grantees
 and other good and valuable consideration for the sum of
 the following described tract of land in ----- DOLLARS,
 State of Utah: Davis County,

Beginning 400.0 feet East of the East line of a Highway at
 a point 38.85 rods South and 301.0 feet, more or less, East
 of the Northeast corner of the Southeast Quarter of Section
 25, Township 2 North, Range 1 West, Salt Lake Meridian, in
 the City of Bountiful and running thence South 251.62 feet,
 more or less, to the South line of Lot 4, Block "K", North
 Mill Creek Plat, Bountiful Townsite Survey; thence South
 89°56' West 400.0 feet along the South line of said Lot 4,
 to the East of said Highway, thence North 0°07' West 185.47
 feet, more or less, along said Highway to a point 707.175 feet
 South of the North line of the Southeast Quarter of said
 Section 25; thence South 89°42'08" East 165.01 feet; thence
 North 0°07' West 67.15 feet; thence North 89°56' East 235.0
 feet, more or less to the point of beginning. Subject to
 easements of record.

Subject to a mortgage in favor of First Security State Bank,
 a Utah corporation, mortgagee, and the said mortgage being
 recorded as Entry Number 290791 in Book 330 at Page 187 in
 the Office of the County Recorder of Davis County, which mortgage
 grantees herein assume. The consideration for this deed is less
 than \$100.00, being a distribution of partnership assets upon
 dissolution, and revenue stamps are not required.

WITNESS, the hand of said grantors, this _____ day of
December, A. D. 19 66

Platted Abstracted
 On Map Indexed
 Compared Entered

Signed in the Presence of

HERBERT N. HYDE AND ASSOCIATES,
 A partnership
Herbert N. Hyde
Ruby G. Hyde
Roland R. Wright
 Herbert N. Hyde
 Ruby G. Hyde
 Roland R. Wright

STATE OF UTAH,
 County of SALT LAKE

} ss. General Partners

On the 2th day of December, A. D. 19 66
 personally appeared before me HERBERT N. HYDE, RUBY G. HYDE and

ROLAND R. WRIGHT
 the signers of the within instrument, who duly acknowledged to me that they executed the
 same.

290790

ARTHUR E. LIFFERTH and OKLA R. LIFFERTH, his wife,
Centerville, County of Davis, State of Utah, hereby
CONVEY and WARRANT to HERBERT N. HYDE AND ASSOCIATES, a Partnership,



of Salt Lake City, County of Salt Lake, State of Utah,
TEN AND NO/100 DOLLARS,
and other good and valuable consideration,
the following described tract of land in Davis County,

State of Utah:
Beginning 400.0 feet East of the East line of a Highway
at a point 38.85 rods South and 301.0 feet, more or less,
East of the Northeast corner of the Southeast Quarter of
Section 25, Township 2 North, Range 1 West, Salt Lake
Meridian, in the City of Bountiful and running thence South
251.62 feet, more or less, to the South line of Lot 4, Block
"K", North Mill Creek Plat, Bountiful Townsite Survey; thence
South 89° 56' West 400.0 feet along the South line of said
Lot 4 to the East of said Highway; thence North 0° 07' West
185.47 feet, more or less, along said Highway to a point
707.175 feet South of the North line of the Southeast Quarter
of said Section 25; thence South 89° 42' 08" East 165.01 feet;
thence North 0° 07' West 67.15 feet; thence North 89° 56' East
235.0 feet, more or less, to the point of beginning.



93.50

- Abstracted
- Indexed
- Entered
- Compared
- Matted

WITNESS, the hands of said grantors, this
October, A. D. 19 65.

Signed in the Presence of

Arthur E. Liffert
Arthur E. LIFFERTH
Okla R. Liffert
Okla R. LIFFERTH

STATE OF UTAH,
County of Salt Lake,

On the 26th day of October, A. D. 19 65,
personally appeared before me ARTHUR E. LIFFERTH and OKLA R. LIFFERTH, his wife,
the signers of the within instrument, who duly acknowledged to me that they executed the
same.

[Signature]
Notary Public.
City, Utah

April 12, 2023

To whom it may concern :

I am Jack Yoho, manager of Yoho Management LLC, the owner of real property at 1405 S. 500 W. Bountiful, Utah.

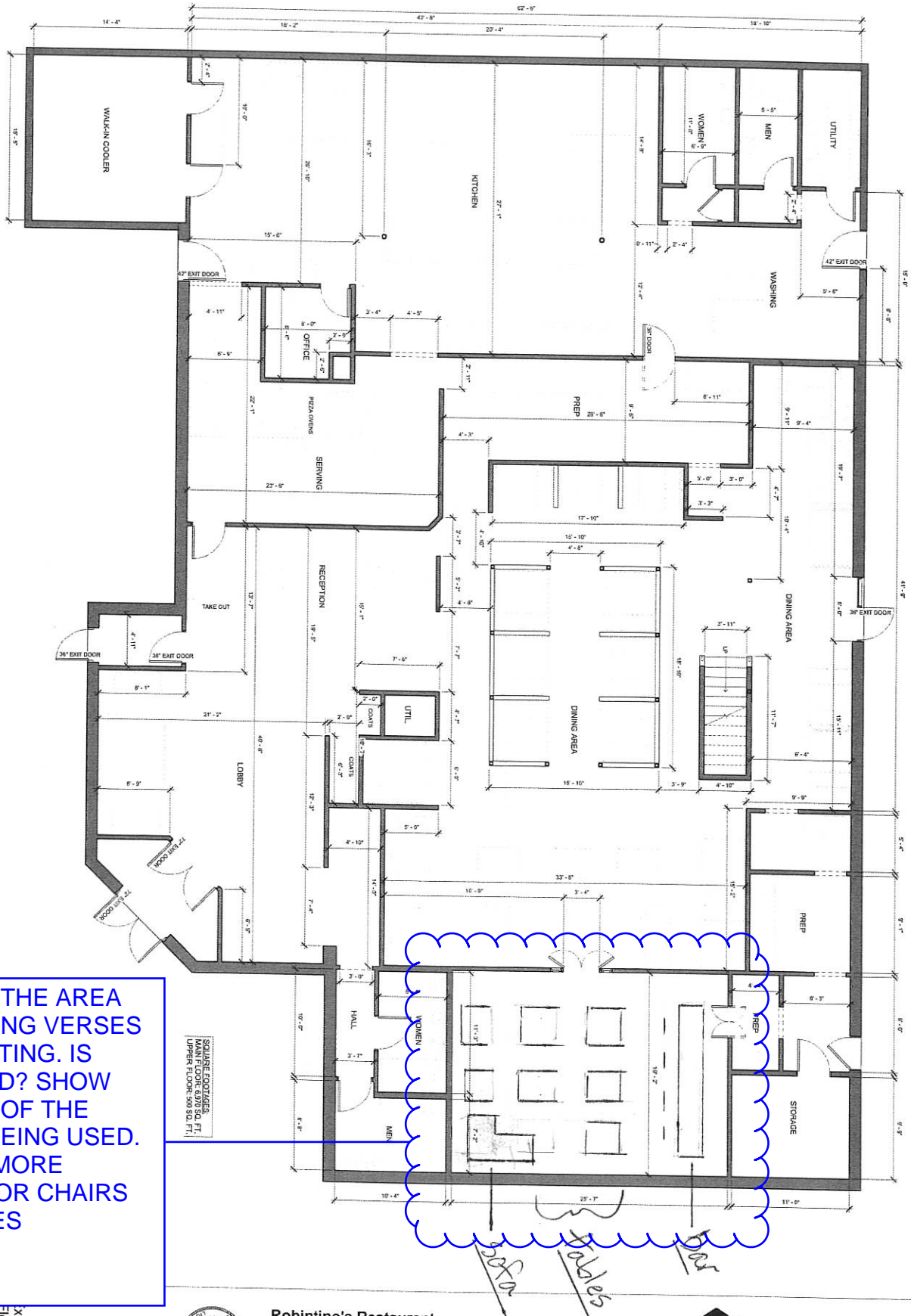
Under the existing lease there is no reason for us to close the access between our property and 1385 So. 500 West. (Robintino's).

Sincerely

A handwritten signature in black ink that reads "Jack Yoho". The signature is written in a cursive style with a large, sweeping initial "J".

Jack Yoho, Manager

1 FIRST FLOOR PLAN - EXISTING
 1/4" = 1'-0"



QUANTIFY THE AREA OF STANDING VERSES FIXED SEATING. IS SOFA FIXED? SHOW PICTURES OF THE SEATING BEING USED. WE NEED MORE DETAILS FOR CHAIRS AND TABLES

SQUARE FOOTAGES:
 MAIN FLOOR 6,570 SQ. FT.
 UPPER FLOOR 500 SQ. FT.

A101

Existing 1st Floor Plan

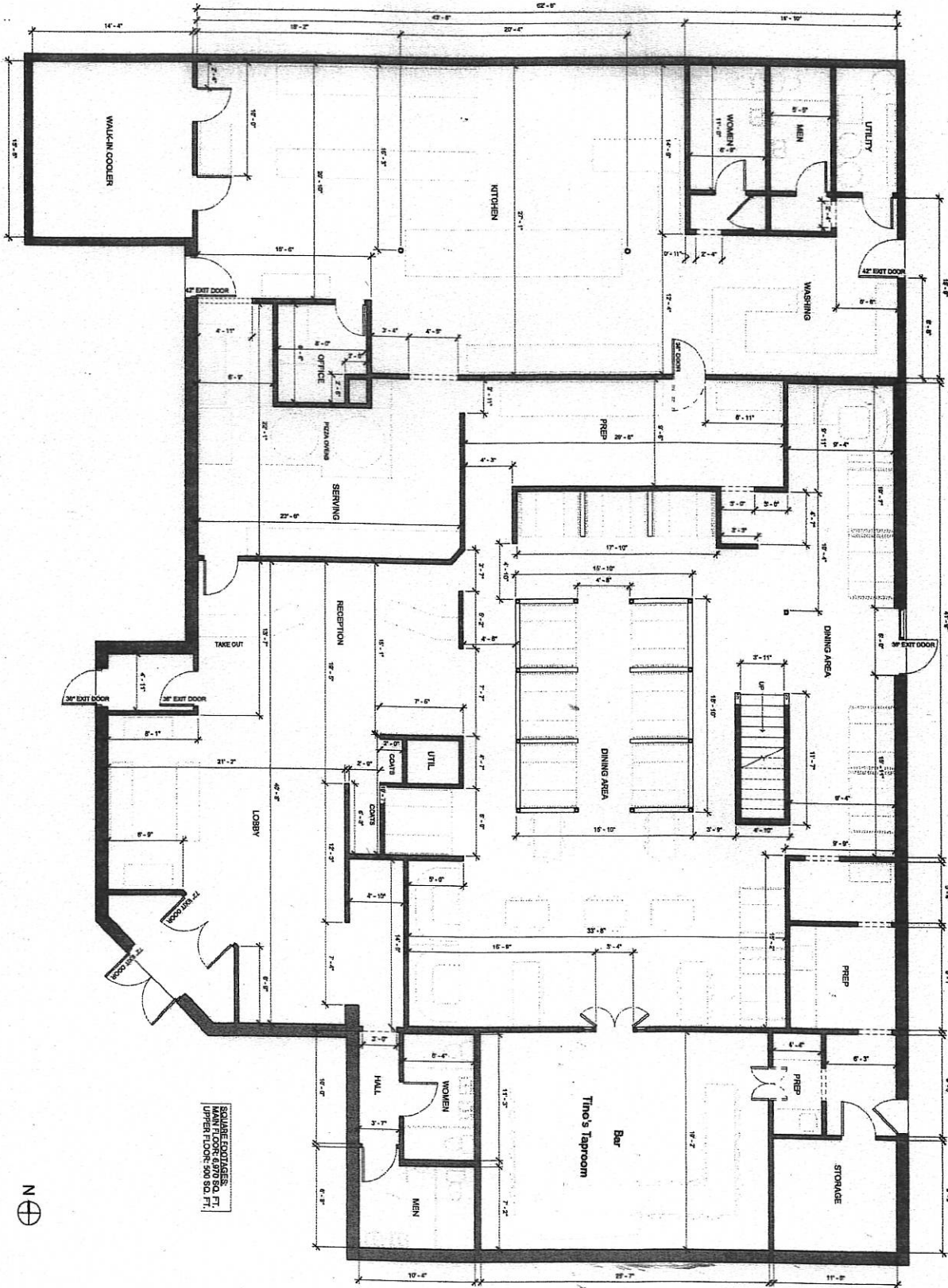


Robintino's Restaurant
 1385 S 500 W
 Bountiful, UT 84010



BLACK BISON ARCHITECTURE

① FIRST FLOOR PLAN - EXISTING
1/8" = 1'-0"



SQUARE FOOTAGES:
MAIN FLOOR: 6,970 SQ. FT.
OPEN FLOOR: 500 SQ. FT.

NOT FOR
CONSTRUCTION

© Black Bison Architecture LLC 2023

Existing
Floor Plan
A10-3
May 2, 2023

Robintino's Restaurant
1385 S 500 W
Bountiful, UT 84010



BLACK BISON
ARCHITECTURE
Principal Architect:
Bryce Harrison
Phone: 801-884-2193
Email: bryce@blackbisonarch.com