



**Bountiful City**  
**Planning Commission Agenda**  
**Tuesday, October 15, 2024**  
**6:30 p.m.**

**NOTICE IS HEREBY GIVEN** that 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 to attend. Persons who are disabled as defined by the Americans with Disabilities Act may request an accommodation by contacting the Bountiful City Planning Office at 801-298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

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1. Welcome
2. Meeting minutes from October 01, 2024
  - To be reviewed at the November 19, 2024, meeting
3. Lot Line Adjustment for 1785 South 1450 East and 1501 East Mueller Park Road  
*Assistant Planner Morgan*
  - Review
  - Recommendation to City Council
4. Land Use Text Amendment for Accessory Structures and Retaining Wall Heights  
*Planning Director Astorga*
  - Review
  - Public Hearing
  - Continue Public Hearing to November 19, 2024, meeting
5. Variance Request to Allow a Retaining Wall on Slopes Over 30% at 3343 Bountiful Boulevard  
*Assistant Planner Morgan*
  - Review
  - Public Hearing
  - Action

6. Zone Map Amendment from RM-19 and C-G to MXD-R at 2122 Orchard Drive  
*Senior Planner Corbridge*

- Review
- Public Hearing
- Recommendation to City Council

7. Planning Director's report, update, and miscellaneous items

8. Adjourn

# Planning Commission Staff Report



**Subject:** Lot Line Adjustment at 1785 South 1450 East and 1501 East Mueller Park Road  
**Author:** DeAnne Morgan, Planning Technician  
**Date:** October 15, 2024

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## Background

Ronald Marshal, the applicant, is requesting approval of a lot line adjustment at 1785 South 1450 East (Lot 604 of the Joe and Bette Eggett Sub. Phase 6, the Antry property) and 1501 East Mueller Park Road (Lot 2 of the East Peterson Sub., the Adamson property). Both properties are located in the Single-Family (R-3) Residential Zone. The Adamsons have done some landscaping and planting on the Antry property consisting of an 8 ft. by 120 ft. area referred to Parcel A containing 960 square feet (sf) equating to 0.022 acres. The purpose of the lot line adjustment is to “clean up” the landscaping/planting encroachment.

## Analysis

Lot Standards: The proposed Lot Line Adjustment complies with the following:

Lot Standards		Antry Property: Lot 604 + parcel A (plus 960 sf)	Adamson Property Lot 2 - parcel A (minus 960 sf)
<b>Min. Lot Size</b>	<b>11,000 sf</b>	67,213.08, complies (1.543 acres)	41,904.75, complies (0.962 acres)
<b>Min. Lot Width</b>	<b>80 feet</b>	Approx. 122 feet (unaffected), complies	Approx. 115 feet (unaffected), complies

The Antry property (Lot 604) is currently vacant. The Adamson property (Lot 2) contains an existing single-family dwelling. The proposed lot line adjustment does not affect the existing dwelling.

As reflected on the table above both lots would continue to comply with the minimum lot size and minimum lot width. Lot 604 would decrease in size by 952 sf and Lot 2 would gain 952 sf. Based on the size of both lots, the minimum buildable areas of 3,000 sf would also be unaffected.

There are public utility easements along both sides of the affected property line. The City Engineer has determined that the proposed lot line adjustment will not affect the easements. No new building lots would be created by adjusting the lot line locations.

Utilities: No additional utilities are required and no adjustment to the existing easement configuration is necessary.

Proposed Right-of-Way Improvements and Access: No improvements are required.

**Department Review**

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

**Significant Impacts**

There are no significant impacts associated with this proposed lot line adjustment.

**Recommendation**

Staff recommends that the Planning Commission review the proposed Lot Line Adjustment and forward a positive recommendation to the City Council based on the following conditions:

1. Prepare necessary final documents (plat or legal descriptions/deeds) to the satisfaction of the City Engineer making any necessary corrections identified during the review process.
2. Provide a current title report for both lots.

**Attachments**

1. Applicant's Statement
2. Survey
3. Survey Zoomed in Parcel "A"
4. East Peterson Subdivision Plat
5. Joe and Bette Eggett Subdivision Phase 6 Plat

Lot Line Adjustment Statement Lot 604 Joe and Betti Eggett Sub

The neighbors to the South of lot 604 has landscaped and planted approximately 8' x 120' into lot 604.

The purpose of the lot line adjustment is to deed this property to the Adamsons to clean up this encroachment.

**CERTIFICATE**

I, STEPHEN M. BURTT, A PROFESSIONAL LAND SURVEYOR, ACCORDING TO THE LAWS OF THE STATE OF UTAH, DO CERTIFY THAT I HAVE SURVEYED THE PARCEL OF GROUND SHOWN HEREON ACCORDING TO UTAH STATE CODE 17-23-17.

**NARRATIVE**

THE PURPOSE OF THE SURVEY WAS TO IDENTIFY AND MARK THE PROPERTY CORNERS OF A PARCEL OF LAND TO BE CONVEYED BETWEEN ADJOINING PROPERTY OWNERS, AS SHOWN. WE ESTABLISHED THE BASIS OF BEARINGS BETWEEN THE STREET MONUMENT FOUND AT THE INTERSECTION OF 1700 SOUTH STREET AND THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 1 EAST, AS SHOWN. WE TOOK RECORD BEARINGS AND DISTANCES FROM THE PLAT OF THE JOE AND BETTE EGGETT SUBDIVISION, PHASE 6, RECORDED AS ENTRY #3466798 IN THE DAVIS COUNTY RECORDER'S OFFICE (D.C.S.), REFERENCE MATERIALS INCLUDE THE RECORDED PLAT OF THE EAST PETERSON SUBDIVISION (ENTRY # 2159245, D.C.S.).

STREET MONUMENTS WERE USED TO PLACE BOTH SUBDIVISIONS AND MONUMENTS WERE FOUND IN FRONT OF LOT 604, AS SHOWN. A LINE POINT WITH AN ENTELLUS CAP WAS ALSO FOUND ON THE LINE BETWEEN LOT 604 AND LOT 2. PARCEL A WAS CREATED TO DESCRIBE AN AREA WHERE IMPROVEMENTS FROM LOT 2 WERE ENCRONCHING ONTO LOT 604. THE LAND OWNERS HAD AGREED TO CONVEY AN AREA 8' WIDE AND 120' LONG.

**RECORD DESCRIPTIONS**

**LOT 604 LEGAL DESCRIPTION (ANTEV PROPERTY)**  
 TAKEN FROM A WARRANTY DEED RECORDED AS ENTRY #3576516, DAVIS COUNTY RECORDER'S OFFICE.  
 "ALL OF LOT 604, JOE AND BETTE EGGETT SUBDIVISION PHASE 6, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE DAVIS COUNTY RECORDER."

**LOT 2 LEGAL DESCRIPTION (ADAMSON PROPERTY)**  
 TAKEN FROM A WARRANTY DEED RECORDED AS ENTRY #2824323, DAVIS COUNTY RECORDER'S OFFICE.  
 "LOT 2, EAST PETERSON SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE DAVIS COUNTY RECORDER'S OFFICE."

**PROPOSED DESCRIPTIONS**

**PARCEL "A" DESCRIPTION**  
 A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, DAVIS COUNTY, UTAH, SAID PARCEL IS A PART OF LOT 604 OF THE JOE AND BETTE EGGETT SUBDIVISION RECORDED AS ENTRY #3466798 IN THE DAVIS COUNTY RECORDER'S OFFICE (D.C.S.), SAID PARCEL IS FURTHER DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT ON THE LOT LINE COMMON TO SAID LOT 604 AND LOT 2 OF THE EAST PETERSON SUBDIVISION (ENTRY # 2159245, D.C.S.), SAID POINT IS SOUTH 89°58'29" EAST 956.38 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SAID SECTION; AND RUNNING THENCE NORTH 13°46'13" EAST 8.24 FEET; THENCE NORTH 89°58'29" EAST 118.05 FEET; THENCE SOUTH 00°51'31" WEST 8.00 FEET TO THE NORTH PROPERTY LINE OF SAID LOT 2; THENCE SOUTH 89°58'29" WEST 120.00 FEET ALONG SAID COMMON LOT LINE TO THE POINT OF BEGINNING.  
 THE PROPERTY CONTAINS 952 SQUARE FEET OR 0.022 ACRES.

**PROPOSED DESCRIPTION OF ANTEV PROPERTY**  
 ALL OF LOT 604, JOE AND BETTE EGGETT SUBDIVISION PHASE 6, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE DAVIS COUNTY RECORDER.

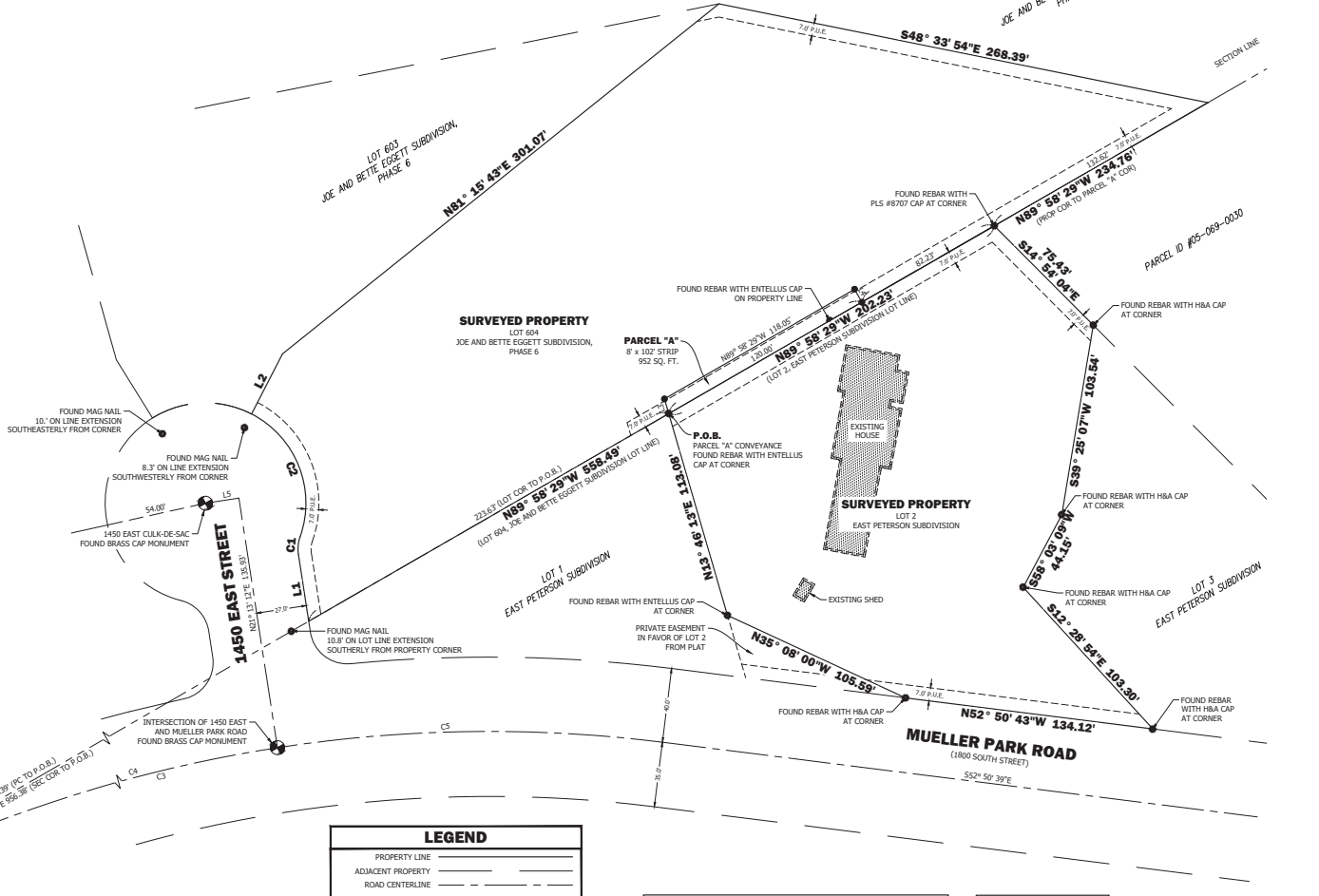
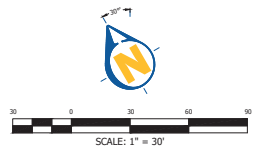
LESS AND EXCEPTING, A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, DAVIS COUNTY, UTAH, SAID PARCEL IS A PART OF LOT 604 OF THE JOE AND BETTE EGGETT SUBDIVISION RECORDED AS ENTRY #3466798 IN THE DAVIS COUNTY RECORDER'S OFFICE (D.C.S.), SAID PARCEL IS FURTHER DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT ON THE LOT LINE COMMON TO SAID LOT 604 AND LOT 2 OF THE EAST PETERSON SUBDIVISION (ENTRY # 2159245, D.C.S.), SAID POINT IS SOUTH 89°58'29" EAST 956.38 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SAID SECTION; AND RUNNING THENCE NORTH 13°46'13" EAST 8.24 FEET; THENCE NORTH 89°58'29" EAST 118.05 FEET; THENCE SOUTH 00°51'31" WEST 8.00 FEET TO THE NORTH PROPERTY LINE OF SAID LOT 2; THENCE SOUTH 89°58'29" WEST 120.00 FEET ALONG SAID COMMON LOT LINE TO THE POINT OF BEGINNING.  
 THE PROPERTY CONTAINS 1.543 ACRES.

**PROPOSED DESCRIPTION OF ADAMSON PROPERTY**  
 ALL OF LOT 2, EAST PETERSON SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE DAVIS COUNTY RECORDER'S OFFICE.

AND ALSO, A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, DAVIS COUNTY, UTAH, SAID PARCEL IS A PART OF LOT 604 OF THE JOE AND BETTE EGGETT SUBDIVISION RECORDED AS ENTRY #3466798 IN THE DAVIS COUNTY RECORDER'S OFFICE (D.C.S.), SAID PARCEL IS FURTHER DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT ON THE LOT LINE COMMON TO SAID LOT 604 AND LOT 2 OF THE EAST PETERSON SUBDIVISION (ENTRY # 2159245, D.C.S.), SAID POINT IS SOUTH 89°58'29" EAST 956.38 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SAID SECTION; AND RUNNING THENCE NORTH 13°46'13" EAST 8.24 FEET; THENCE NORTH 89°58'29" EAST 118.05 FEET; THENCE SOUTH 00°51'31" WEST 8.00 FEET TO THE NORTH PROPERTY LINE OF SAID LOT 2; THENCE SOUTH 89°58'29" WEST 120.00 FEET ALONG SAID COMMON LOT LINE TO THE POINT OF BEGINNING.  
 THE PROPERTY CONTAINS 0.962 ACRES.



**GENERAL NOTES**

- ACCORDING TO THE JOE AND BETTE EGGETT SUBDIVISION PHASE 6 PLAT, THE NAD83 BEARING ALONG THE BASIS OF BEARINGS IS NORTH 24°03'12" EAST (ROTATE THESE DESCRIPTIONS 09°20'01" CLOCKWISE TO MATCH).

**LEGEND**

PROPERTY LINE	—————
ADJACENT PROPERTY	-----
ROAD CENTERLINE	—————
SECTION LINE	-----
TIE TO MONUMENT	-----
EASEMENT LINE	-----

RECORD CALLS ( )

- SET 5/8" REBAR WITH "ENTELLUS" CAP, AT CORNER (UNLESS OTHERWISE NOTED)
- FOUND PROPERTY MARKER (AS NOTED)

**CURVE TABLE**

CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	20.00'	9.86'	028° 14' 03"	N35° 20' 14"E	9.76
C2	54.00'	77.45'	082° 10' 37"	N08° 21' 57"E	70.98
C3	747.26'	484.26'	033° 07' 50"	N71° 24' 33"W	475.83
C4	747.26'	276.42'	021° 11' 41"	N79° 22' 38"W	274.85
C5	747.26'	207.84'	015° 56' 09"	N60° 48' 43"W	207.17

**LINE TABLE**

LINE #	DIRECTION	LENGTH
L1	N21° 13' 12"E	36.24'
L2	N57° 16' 59"E	36.39'
L3	N13° 46' 13"E	8.24'
L4	S00° 01' 31"W	8.00'
L5	N68° 46' 48"W	18.20'

1470 South 600 West  
 Woods Cross, UT 84010  
 Phone 801.298.2236  
 www.Entellus.com

PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

**LANE ANTRY**

1785 SOUTH 1480 EAST STREET  
 LOT 604, JOE AND BETTE EGGETT SUBDIVISION  
 LOCATED IN THE SW 1/4 OF SECTION 28, T.2N, R.1E, S.11.8&M.  
 BOUNTIFUL CITY, DAVIS COUNTY, UTAH

**REVISIONS**

NO.	DATE	DESCRIPTION

DRAWN: JTB 08/09/2024  
 APPROVED: SMB 08/27/2024  
 PROJECT #: 2217001  
 SURVEY 2217001.dwg

**V210**  
 BOUNDARY SURVEY

**SURVEYED PROPERTY**

LOT 604  
D BETTE EGGETT SUBDIVISION,  
PHASE 6

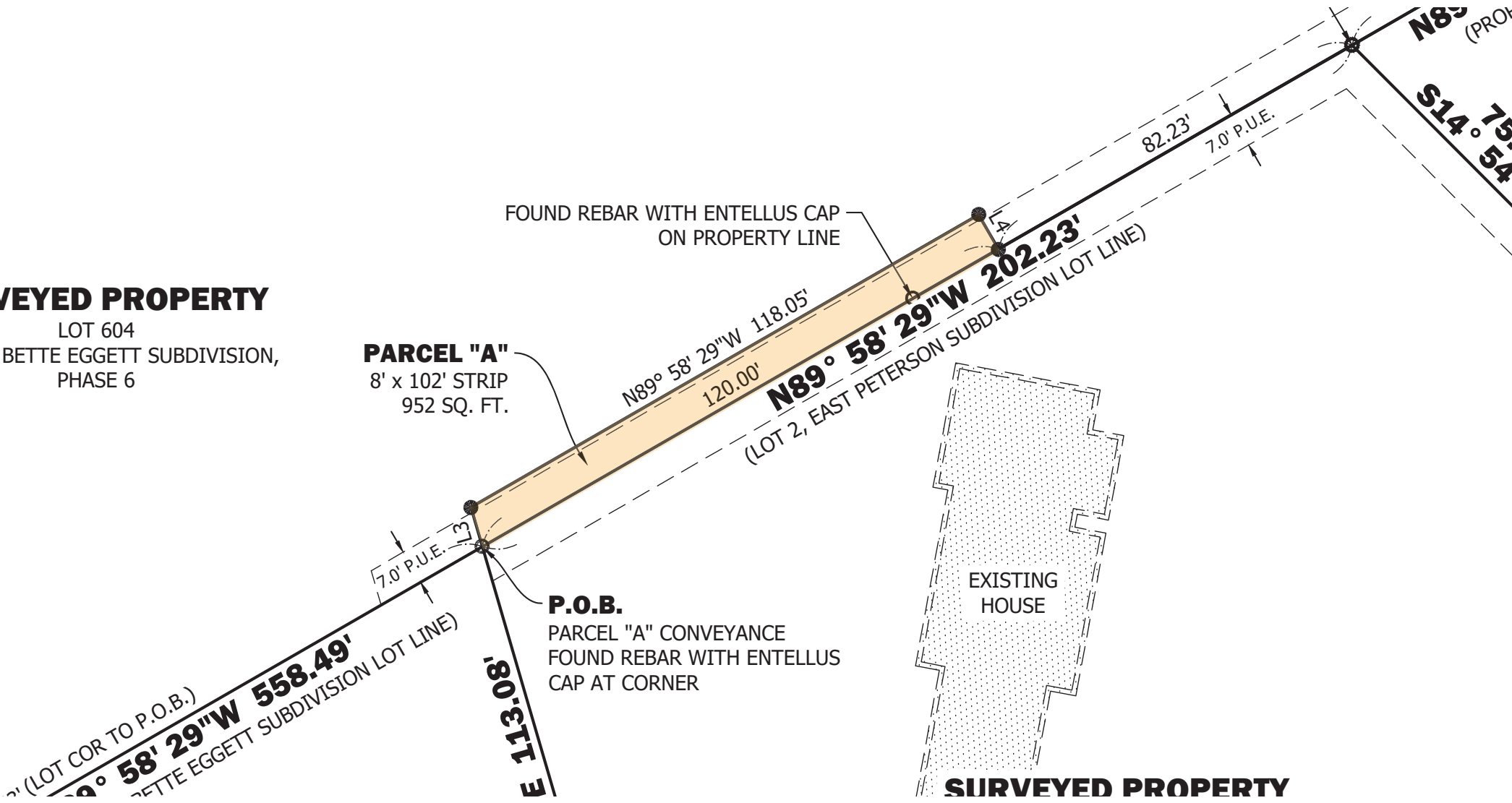
**PARCEL "A"**  
8' x 102' STRIP  
952 SQ. FT.

FOUND REBAR WITH ENTELLUS CAP  
ON PROPERTY LINE

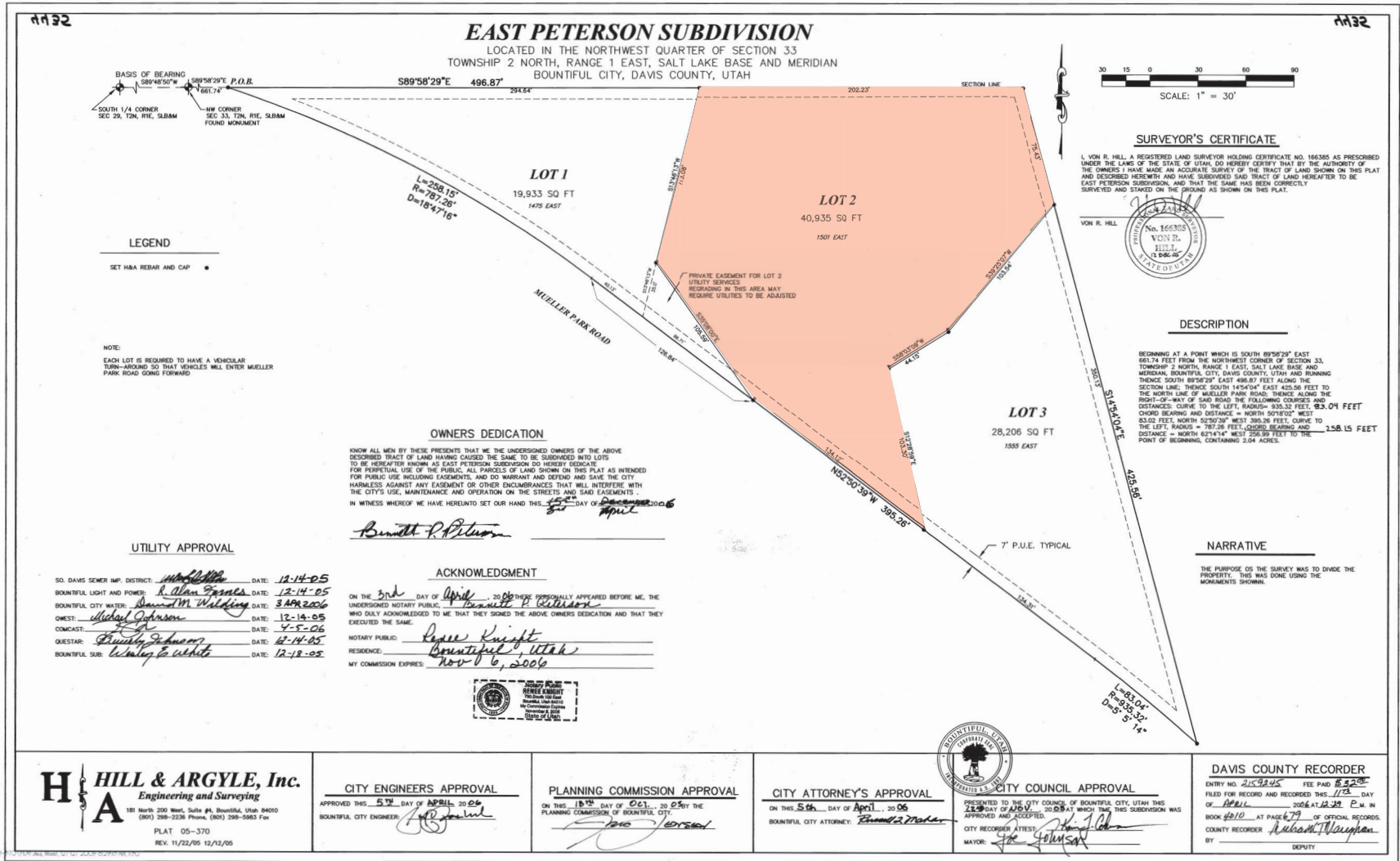
**P.O.B.**  
PARCEL "A" CONVEYANCE  
FOUND REBAR WITH ENTELLUS  
CAP AT CORNER

EXISTING  
HOUSE

**SURVEYED PROPERTY**

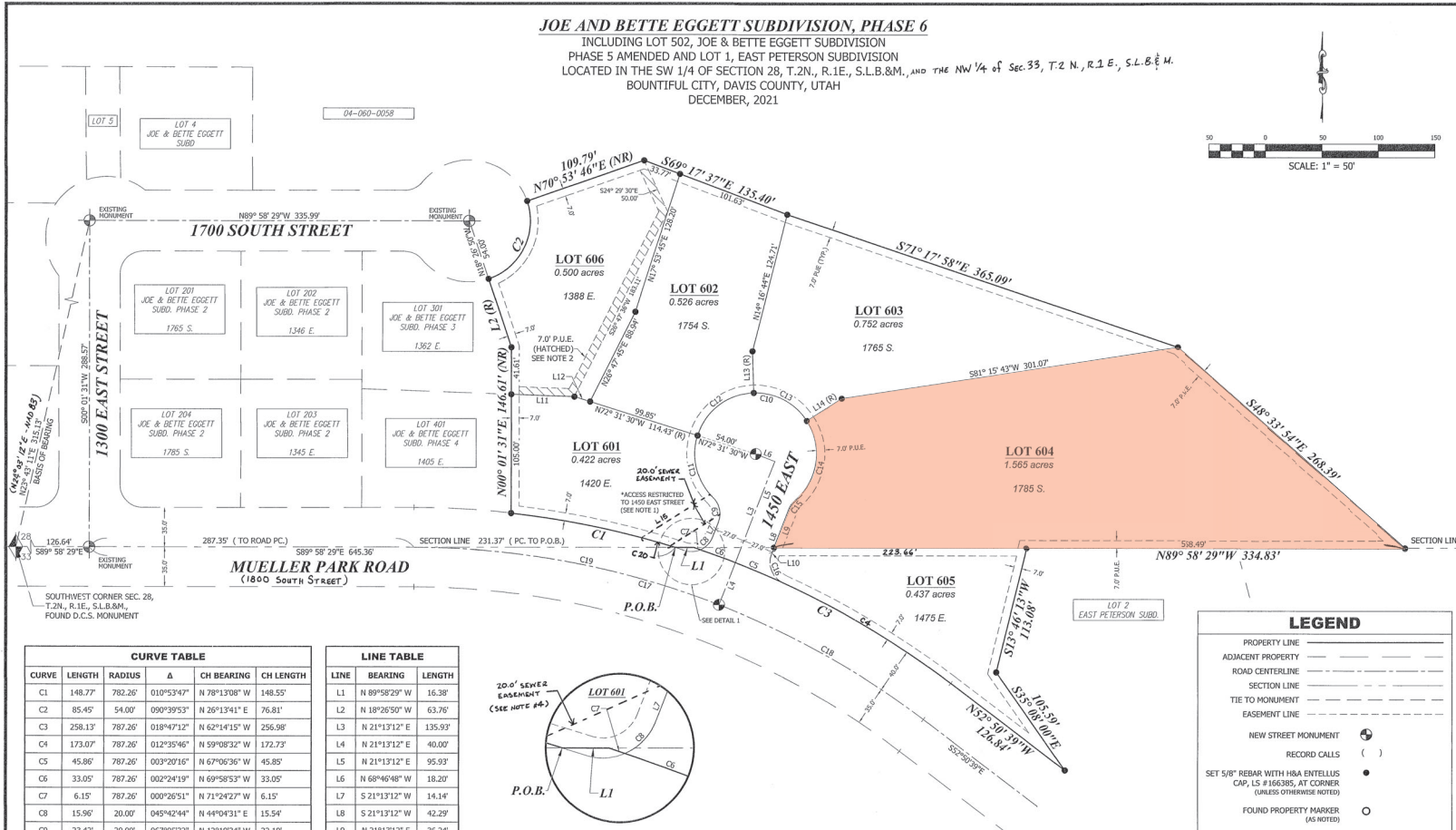


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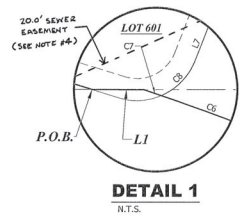


**JOE AND BETTE EGGETT SUBDIVISION, PHASE 6**  
 INCLUDING LOT 502, JOE & BETTE EGGETT SUBDIVISION  
 PHASE 5 AMENDED AND LOT 1, EAST PETERSON SUBDIVISION  
 LOCATED IN THE SW 1/4 OF SECTION 28, T.2N., R.1E., S.L.B.&M., AND THE NW 1/4 OF Sec 33, T.2 N., R.1 E., S.L.B.&M.  
 BOUNTIFUL CITY, DAVIS COUNTY, UTAH  
 DECEMBER, 2021



CURVE TABLE				
CURVE	LENGTH	RADIUS	Δ	CH BEARING
C1	148.77	782.26	010°53'47"	N 78°13'08" W 148.55'
C2	85.45	54.00	090°39'53"	N 26°13'41" E 76.81'
C3	258.13	787.26	018°47'12"	N 62°14'15" W 256.98'
C4	173.07	787.26	012°35'46"	N 59°08'32" W 172.73'
C5	45.86	787.26	003°20'16"	N 67°06'36" W 45.85'
C6	33.05	787.26	002°24'19"	N 69°58'53" W 33.05'
C7	6.15	787.26	000°26'51"	N 71°24'27" W 6.15'
C8	15.96	20.00	045°42'44"	N 44°04'31" E 15.54'
C9	23.42	20.00	067°05'32"	N 12°19'34" W 22.10'
C10	259.49	54.00	275°19'35"	N 88°12'32" W 72.74'
C11	59.70	54.00	063°20'49"	S 14°11'55" E 56.71'
C12	66.60	54.00	070°39'52"	S 52°48'25" W 62.46'
C13	55.74	54.00	059°08'36"	N 62°11'57" W 53.30'
C14	77.45	54.00	082°10'37"	N 08°21'57" E 70.98'
C15	9.86	20.00	028°14'03"	S 35°20'14" W 9.76'
C16	30.25	20.00	086°39'40"	S 22°06'38" E 27.45'
C17	484.26	747.26	037°07'50"	N 71°24'33" W 475.83'
C18	207.84	747.26	015°56'09"	N 60°48'43" W 207.17'
C19	276.42	747.26	021°11'41"	N 79°22'38" W 274.85'
C20	27.95	782.26	027°02'45"	S 73°57'33" E 27.95'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 89°58'29" W	16.38'
L2	N 18°26'50" W	63.76'
L3	N 21°13'12" E	135.93'
L4	N 21°13'12" E	40.00'
L5	N 21°13'12" E	95.93'
L6	N 68°46'48" W	18.20'
L7	S 21°13'12" W	14.14'
L8	S 21°13'12" W	42.29'
L9	N 21°13'12" E	36.24'
L10	N 21°13'12" E	6.06'
L11	N 87°55'38" W	55.76'
L12	S 72°31'30" E	14.58'
L13	N 01°51'38" W	36.84'
L14	S 57°16'59" W	36.39'
L15	N 60°18'24" E	71.04'



LEGEND	
PROPERTY LINE	---
ADJACENT PROPERTY	---
ROAD CENTERLINE	---
SECTION LINE	---
TIE TO MONUMENT	---
EASEMENT LINE	---
NEW STREET MONUMENT	⊙
RECORD CALLS	( )
SET 5/8" REBAR WITH H&A ENTELLUS CAP, L5 #16@36", AT CORNER (UNLESS OTHERWISE NOTED)	●
FOUND PROPERTY MARKER (AS NOTED)	○

**SURVEYOR'S CERTIFICATE**  
 I, JEREMIAH R. CUNNINGHAM, A PROFESSIONAL LAND SURVEYOR, CERTIFY THAT I HOLD CERTIFICATE NO. 3182497 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, THAT AN ACCURATE SURVEY OF THE PROPERTY DESCRIBED HEREON HAS BEEN COMPLETED, IN ACCORDANCE WITH UTAH CODE SECTION 17-23-17, AND THAT I HAVE VERIFIED ALL MEASUREMENTS. I CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE PLACED MONUMENTS ON THE GROUND, AS REPRESENTED ON THIS PLAT, AND THAT THE PROPERTY SHOWN ON THIS PLAT AND DESCRIBED HEREWITH SHALL BE SUBDIVIDED INTO LOTS AND STREETS HEREINAFTER TO BE KNOWN AS JOE AND BETTE SUBDIVISION, PHASE 6.

*Jeremiah R. Cunningham*  
 JEREMIAH R. CUNNINGHAM, P.L.S. #3182497

**BOUNDARY DESCRIPTION**  
 BEGINNING AT A POINT WHICH IS SOUTH 89°58'29" EAST 645.36 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, UTAH AND RUNNING THENCE ALONG THE ARC OF A 782.26-FOOT RADIUS CURVE TO THE LEFT 148.77 FEET, (CENTRAL ANGLE = 10°53'47"), CHORD BEARING AND DISTANCE = NORTH 78°13'08" WEST 148.55 FEET TO THE SOUTHEAST CORNER OF LOT 601, JOE AND BETTE EGGETT SUBDIVISION, PHASE 4; THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION AND BOUNDARY OF JOE & BETTE EGGETT SUBDIVISION, PHASE 5 AMENDED, NORTH 0°01'31" EAST 146.61 FEET; THENCE NORTH 18°26'50" WEST 63.76 FEET TO A POINT ON A 54.00-FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 85.45 FEET, (CENTRAL ANGLE = 90°39'53"), CHORD BEARING AND DISTANCE = NORTH 26°13'41" EAST 76.81 FEET; THENCE NORTH 0°05'46" EAST 109.79 FEET; THENCE LEAVING SAID SUBDIVISION BOUNDARY SOUTH 69°17'37" EAST 135.40 FEET; THENCE SOUTH 71°17'38" EAST 365.09 FEET; THENCE SOUTH 48°33'54" EAST 268.39 FEET TO THE SECTION LINE; THENCE NORTH 89°58'29" WEST 338.83 FEET ALONG THE SECTION LINE TO THE NORTHWEST CORNER OF LOT 2, EAST PETERSON SUBDIVISION; THENCE SOUTH 13°46'37" WEST 113.08 FEET ALONG THE BOUNDARY OF SAID LOT; THENCE SOUTH 35°08'00" EAST 105.59 FEET TO THE NORTHERLY LINE OF MUELLER PARK ROAD; THENCE NORTH 52°00'39" WEST 126.84 FEET TO A POINT ON THE ARC OF A 782.26-FOOT RADIUS CURVE TO THE LEFT; THENCE WESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 258.13 FEET, (CENTRAL ANGLE = 18°47'12"), CHORD BEARING AND DISTANCE = NORTH 0°14'15" WEST 256.98 FEET TO THE SECTION LINE; THENCE NORTH 89°58'29" WEST 16.38 FEET TO THE POINT OF BEGINNING.  
 CONTAINING 4.477 ACRES.

**OWNER'S DEDICATION**  
 KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO PRIVATE LOTS, HEREAFTER TO BE KNOWN AS JOE AND BETTE EGGETT SUBDIVISION, PHASE 6, DO HEREBY DEDICATE FOR PUBLIC USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT, AS INTENDED FOR PUBLIC USE, INCLUDING STREETS AND EASEMENTS, AND DO WARRANT AND DEFEND AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENT OR OTHER ENCUMBRANCE WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE, AND OPERATION OF THE STREETS AND SAID EASEMENTS.

IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS 15<sup>th</sup> DAY OF February 20 22.

*Michael Eggett*  
 MICHAEL EGGETT

*Dudith Eggett*  
 DUDITH EGGETT

*Scott Cummings*  
 SCOTT CUMMINGS

*Connie E. Woolley*  
 CONNIE E. WOOLLEY - TRUSTEE  
 THE EGGETT FAMILY TRUST, DATED THE 16TH DAY OF JANUARY, 1991

*Connie E. Woolley*  
 NAME: CONNIE E. WOOLLEY  
 TRAILSIDE HERITAGE ESTATES, L.L.C., UTAH LIMITED LIABILITY COMPANY

**DOMINION ENERGY UTAH**  
 QUESTAR GAS COMPANY, dba DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSES OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE APPROVAL OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNER DEDICATION OR IN THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 800-366-8532.

QUESTAR GAS COMPANY  
 dba DOMINION ENERGY UTAH

APPROVED THIS 5 DAY OF JANUARY, 20 22  
 BY: *Tracy Stephens*  
 TITLE: LEAD FOR CONSTRUCTION

**NOTES**

- ACCESS TO LOT 601 IS RESTRICTED TO 1450 EAST STREET. ACCESS TO LOT 601 FROM MUELLER PARK ROAD IS PROHIBITED.
- 7.0' WIDE PUBLIC UTILITY EASEMENT FROM JOE AND BETTE EGGETT SUBDIVISION PHASE 5 AMENDED (ENTRY #263932, D.C.R.).
- THE STATE PLANE BEARING ALONG THE BASIS OF BEARING IS NORTH 7°24'08"12" EAST (DAVIS COUNTY SURVEYOR (D.C.S.)), CALCULATED USING MAD 1983 STATE PLANE COORDINATES FROM THE UTAH NORTH ZONE.
- A 20.0' SEWER EASEMENT IS DEDICATED IN FAVOR OF SOUTH DAVIS SEWER DISTRICT FOR THE INSTALLATION AND MAINTENANCE OF SANITARY SEWER STRUCTURES.

SHEET 1 OF 2

1470 South 600 West  
 Woods Cross, UT 84010  
 Phone 801.298.2236  
 www.Entellus.com  
 PRODUCT #1333081 1/13/2010, RHM  
 02/09/2019, JH  
 11/23/2021, AJ

**CITY COUNCIL'S APPROVAL**  
 PRESENTED TO THE CITY COUNCIL OF BOUNTIFUL CITY, UTAH, THIS 14<sup>th</sup> DAY OF July, 20 22.

CITY RECORDER ATTEST: *Mawana Andrews*  
 MAYOR: *Abdul H. Khan*

**CITY ENGINEER'S APPROVAL**  
 APPROVED BY THE BOUNTIFUL CITY ENGINEER, THIS 17<sup>th</sup> DAY OF March, 20 22.

*Wood Curry*  
 BOUNTIFUL CITY ENGINEER

**PLANNING COMMISSION APPROVAL**  
 APPROVED BY THE PLANNING COMMISSION OF BOUNTIFUL CITY, THIS 7<sup>th</sup> DAY OF MAY, 20 19.

*Tarborja*  
 PLANNING DIRECTOR

**CITY ATTORNEY'S APPROVAL**  
 APPROVED ON THIS 22<sup>nd</sup> DAY OF February, 20 22.

*Platt*  
 BOUNTIFUL CITY ATTORNEY

**DAVIS COUNTY RECORDER**  
 ENTRY NO. 3464798 FEE PAID \$12.00  
 FILED FOR RECORD AND RECORDED THIS 20<sup>th</sup> DAY OF March, 20 22  
 AT 10:24 am IN BOOK 7977 OF PAGE 615  
 COUNTY RECORDER: *Rebecca M. Mangham*  
 DEPUTY



# Planning Commission Memo



**Subject:** Land Use Code Text Amendment Affecting  
maximum building height of accessory structures  
and retaining walls

**Author:** Francisco Astorga, AICP

**Date:** October 15, 2024

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## Background

Staff recommends that the Planning Commission open the noticed public hearing and continue the Public Hearing to the November 19, 2024, Planning Commission meeting where staff will prepare a staff report and recommendation regarding the Land Use Code Text Amendment affecting the maximum building height of accessory structures and retaining walls within the Single Family (R) Residential Zone.





## Planning Commission Staff Report

**Item:** Variance Request to Allow a Retaining Wall on Slopes over 30%  
**Address:** 3343 Bountiful Blvd.  
**Author:** DeAnne Morgan, Planning Technician  
**Date:** October 15, 2024

### Background

The Applicant, Phillip Duncan (owner), has requested a variance for a retaining wall to be built fifteen (15) feet from his home on a slope over 30% at 3343 Bountiful Blvd. The subject property is a 0.51-acre parcel, Lot 718 in the Chelsea Cove Plat No. 7 subdivision (See the attached Plat Map), located in the R-F (Residential Foothill) Subzone. The property owner attempted to excavate into the slope in order to construct a new retaining wall to replace an ineffective existing wall. Unfortunately, this was done before obtaining permits and the city stopped the work on 8/27/2024. If granted, the requested variance would allow for construction of a retaining wall for an existing single-family dwelling, restoration of the disturbed sensitive area, and create a safe usable rear yard at this property.

### Analysis

Land Use Code 14-4-104 (A) requires development, to be located on usable land, which means ground of less than thirty (30) percent slope.

Furthermore, Land Use Code 14-4-117 (D)(7) requires the toe of a slope to be at least the height of the slope divided by two, up to fifteen feet, from a structure.

Utah Code 10-9a-702 establishes the criteria for review of a variance request and stipulates the applicant "shall bear the burden of proving that all of the conditions justifying a variance have been met." To grant a variance **each** of the following criteria must be met:

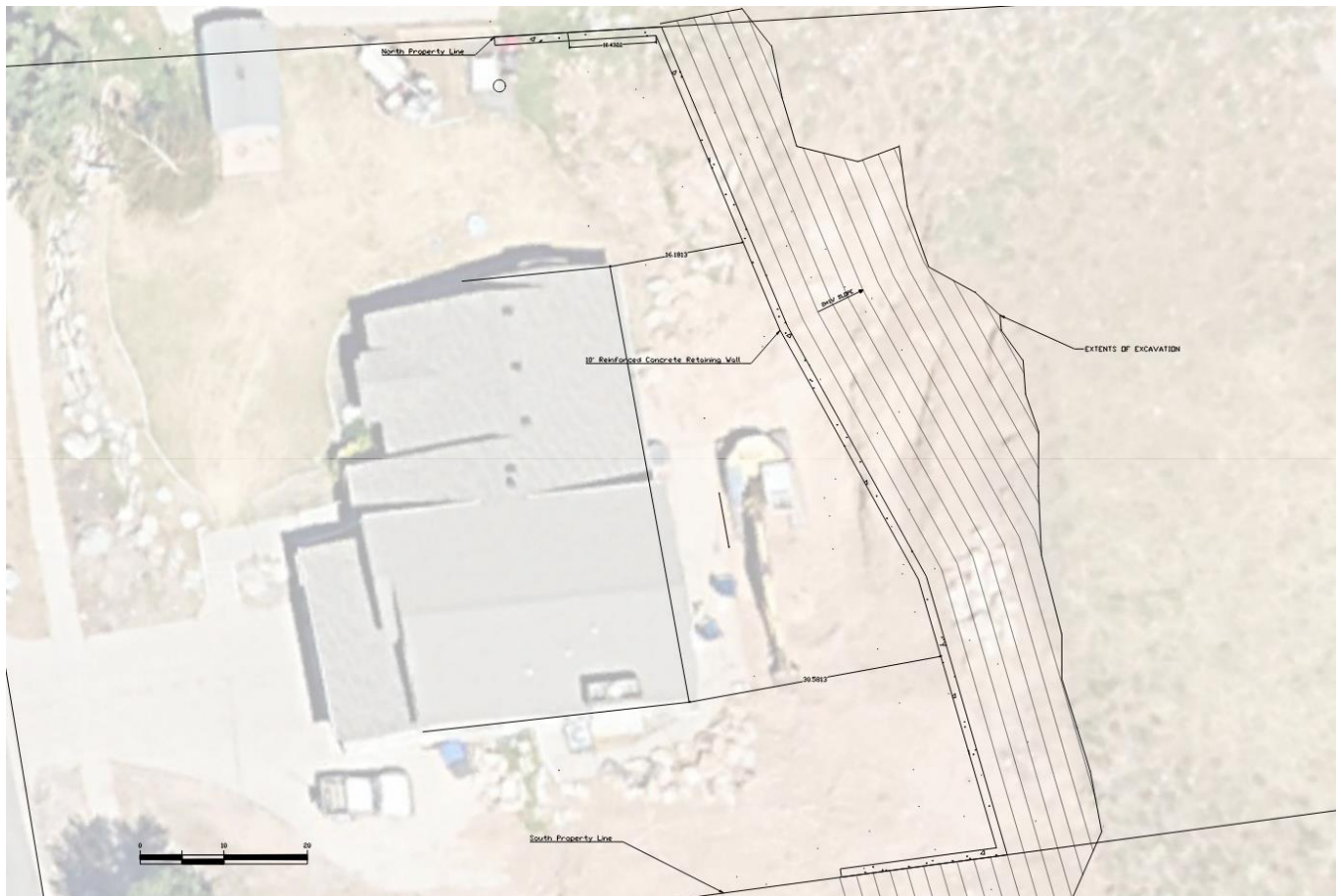
- (i) *Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;*

**Applicant:** Enforcement of the 30% rule to deny approval of a retaining wall at 15' from structure presents a safety concern. As built condition of the rear yard landscaping including a rock retaining wall and steep slope above allows large rocks and boulders to

roll into the backyard. Construction of the proposed wall meets all other land use ordinances and will provide a safe, usable outdoor space.

**Staff Response:** The applicant's property is unique to other properties in a Single-Family Residential Zone as the yard is particularly steep over the majority of the lot. The current conditions of the rear yard are contradictory and do not conform with the code as the lot is particularly steep and the slope is located closer to the structure than the required 15' feet maximum distance for a retaining wall. The property presents safety hazards to both the property owner as well as the surrounding properties. Allowing the proposed wall would allow the property owner to safely utilize the outdoor space and meet the setback requirement of 15 ft. from the structure.

### Originally Submitted Site Plan with 30' Setback of Retaining Wall



## Revised Site Plan with 15' Setback of Retaining Wall



- (ii) *There are special circumstances attached to the property that do not generally apply to other properties in the same zone;*

**Applicant:** Chelsea Cove Lot 718 exists on a particularly steep part of the hill in this area. Rear yard improvements are not conforming with current codes and ordinances of the zone.

**Staff Response:** The purpose of the Residential Land Use Code is to ensure minimal disturbance to the land, especially in the Residential Foothill Subzone. Any alteration

of sensitive land areas is the minimum necessary to allow for reasonable use of the property. (See Attached Preliminary Plan.

The excavation work that was done previously cuts into the slope significantly and the original wall that was proposed was set at a distance of 30 ft. from the home. The site plan has been updated for this variance request to bring the wall up to the 15 ft. toe of slope distance and the homeowner has agreed to replace the soil that was disturbed as much as possible.

(iii) *Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;*

**Applicant:** Having the ability to safely and securely spend time in the rear outdoor space depends on having a properly built retaining wall.

**Staff Response:** Other properties in the R-F Subzone with buildable lots have been granted reasonable disturbance of the slopes greater than thirty percent (30%). The variance would allow this lot to develop a single-family dwelling, which fits the character of the zoning and neighborhood.

(iv) *The variance will not substantially affect the general plan and will not be contrary to the public interest;*

**Applicant:** In this situation, there are two counteracting rules. The 30% rule and the toe of slope 15' form structure rule. Variance request for the 30% rule is to satisfy the 15' rule. This property must vary from one of the two rules. The proposed variance request is believed to be the safest and most effective outcome without variance from any additional ordinances

**Staff Response:** Granting the variance to allow the construction of a retaining wall on a slope greater than 30% on this site is in the City's interest because it would allow the applicant to mitigate the excavation, restore the sensitive area and increase safety to the properties in the neighborhood. The Applicant's property is unique to other properties in the Single-Family Residential Zone because the slope over 30% is located too close to the structure to allow a retaining wall to be placed within 15 ft. (See Attached Preliminary Plans). This site's topography presents a difficult issue with meeting the code requirements as the steep slope over 30% in the rear yard sits closer to the home than the required 15 ft maximum distance.

(v) *The spirit of the land use ordinance is observed and substantial justice done.*

**Applicant:** Proposed retaining wall design observes the land use ordinances in this area to the extent possible. To make this property safe, the minimum variance is being proposed. No additional variance requests are being made for any other land use ordinances outside the 30% rule.



**Staff Response:** The purpose of the Code that requires development to be located on slopes less than thirty percent (30%) is to preserve the hillside and manage runoff and erosion on properties in the foothills. The Code anticipates that there are existing lots within approved subdivisions in the R-F Subzone with special circumstances. The variance process provides a way for these lots to be developed reasonably. The Bountiful Code 14-4-101 states that alteration of sensitive lands should be the minimum necessary to allow for reasonable use of the property. The retaining wall is designed to preserve the sensitive land as much as possible while also meeting the other code requirements. The plans have been amended so that and the current layout provides the most minimal disturbance possible, which still allows the property to be used.

### **Department Review**

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

### **Significant Impacts**

Granting this Variance does not create a future precedent as Variances are reviewed upon the unique conditions found on each site. The impacts, in this case, will be minimized as much as possible by allowing the property owner to mitigate the disturbance that was created to the sensitive area while also increasing the safety and opportunity to utilize the outdoor area.

In considering the opportunity to restore the damage that has already been done to the sensitive area, the requirements for building in the R-F subzone should be followed to diminish the impact.

### **Recommendation**

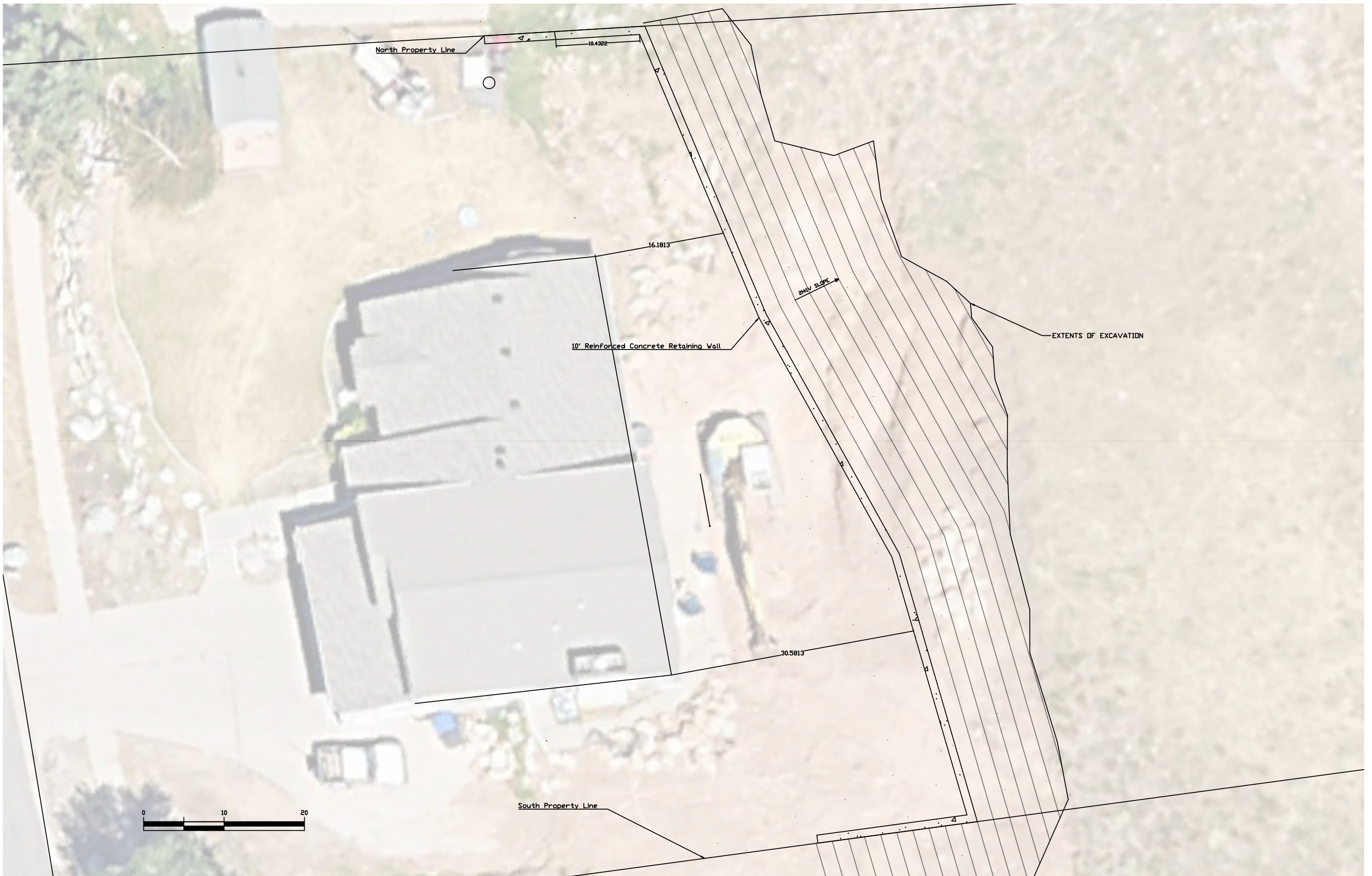
Based on analysis of the required criteria from State Code included in the findings above and the materials submitted by the Applicant, Staff recommends the Planning Commission review the requested Variance, hold a public hearing, and grant the requested Variance to allow a retaining wall 15' from the structure on a slope greater than 30%.

### **Attachments**

1. Aerial Photo
2. Preliminary Plans

**Recent Aerial Photo of 3343 Bountiful Blvd. (Outlined in Blue)**





DUNCAN RETAINING WALL  
10' REINFORCED CONCRETE

REVISIONS #	DATE	NOTES/CHANGES

DRAW DATE	06/24
DRAWN BY:	DD
CHECKED BY:	DM



3343 Bountiful Blvd Retaining Plan

REVISIONS	DATE	NOTES/CHANGES
#		

DRAWN BY: PD  
 CHECKED BY: DH

# Planning Commission Staff Report



**Subject:** Zone Map Amendment from RM-19 and C-G to MXD-R and Hidden Gardens Development Plan at 2122 Orchard Drive

**Author:** Amber Corbridge, Senior Planner

**Date:** October 15, 2024

## Background

The applicant, Randy Beyer with *Hidden Gardens on Orchard LLC* and property owner of 2122 Orchard Drive, requests a Zone Map Amendment of the property (2 acres) from RM-19 (Multi-Family Residential) and C-G (General Commercial) to MXD-R (Mixed Use). The proposed rezone and Development Plan (attached) include preserving the existing four (4) multi-family structures which include a total of seventeen (17) units, demolishing two commercial buildings, and adding four (4) new structures consisting of both multi-family residential (22 units total) and commercial space (within two vertical mixed use structures facing Orchard Drive) and depicted in Figure 2, below. Surrounding uses include multi-family residential to the south, mixed-use and commercial along Orchard Drive, and single-family to the west.

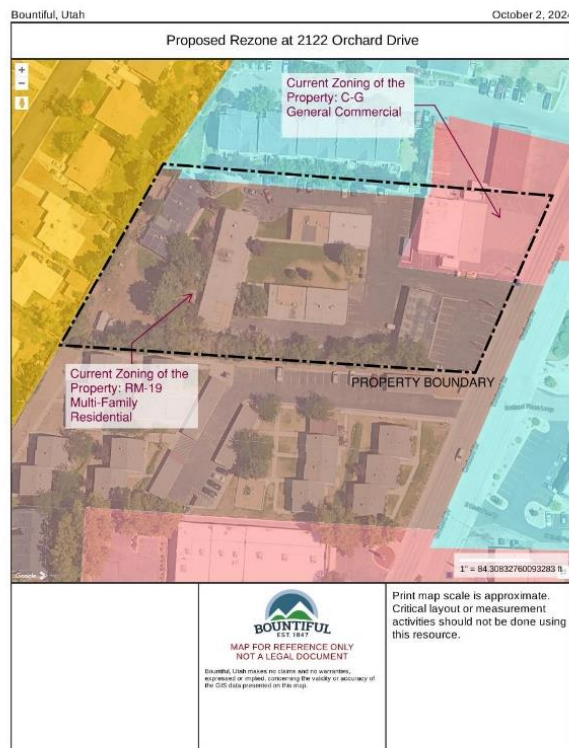


Figure 1. Current Bountiful Zoning Map 2024

The applicant states the purpose for the petition is to “be apart of the solution with creating a visually pleasing edifice that contributes to the higher density or moderate-income residential need with close proximity to an identified major transit corridor along Orchard Drive.”

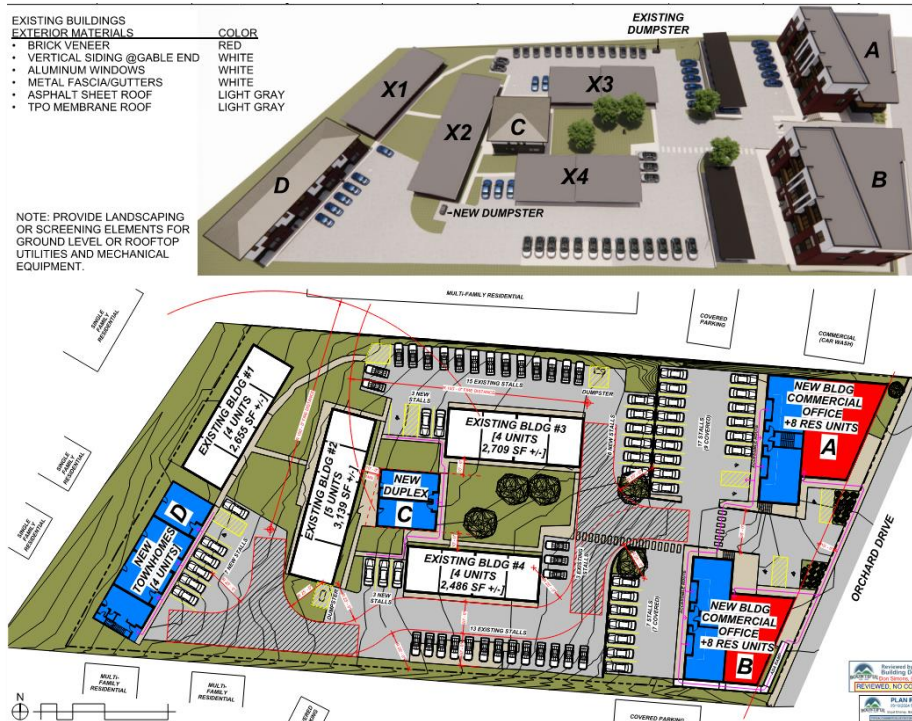


Figure 2. Development Site Plan for Hidden Gardens Development

## Analysis

The Planning Commission will need to consider how the proposed zone map amendment is necessary, is in the interest of the public, and is in harmony with the objectives and purposes of the Bountiful General Plan and Land Use Code. As required by Code, the applicant prepared and submitted a proposed Development Plan which guides all development within this project and site (e.g. site plan, pedestrian circulation, conceptual building elevations and design themes, streetscape and building setback diagrams, survey, etc.). The Development Plan shall be considered an integral part of the zoning regulations for the area represented (substantial variation between the approved Development Plan and Final Site Plan would require review and recommendation from the Planning Commission and approval from the City Council).

## Purpose

This property was annexed into the City between 1961 and 1963 when the property included both multi-family and commercial uses. In 1963, the City zoned the property C-3 (Commercial), when commercial businesses and multi-family residential units were allowed. This property currently has legal nonconforming uses (e.g. commercial uses in the Multi-Family Residential Zone), as the ordinances and zoning boundaries have changed since 1963. Staff finds the existing commercial structures and site suffers from functional

and physical obsolescence and should be redeveloped, according to the Bountiful City's goals and objectives (Land Use Master Plan, 2009).

Additionally, the purpose of the MXD zoning classification is to facilitate the integration of diverse but compatible uses into a single development, with the goal of creating a community that offers *live, work, and play* opportunities within the convenient walking distance of each other. Bountiful City's goals and objectives include identifying areas in the city that could be developed with mixed housing types which would attract people of all ages. The Land Use Masterplan addresses the area around Orchard Drive and 2200 South as a place for redevelopment for mixed uses (See Figure 3).

Staff finds the proposed rezone for this property is appropriate for meeting the City's goals. It appears this proposal would be in the best interest of the public and necessary in bringing the community a mix of multi-family residential and local commercial uses. The rezone would also encourage better use of the land and may promote property upgrades – making the area more desirable to live and work.

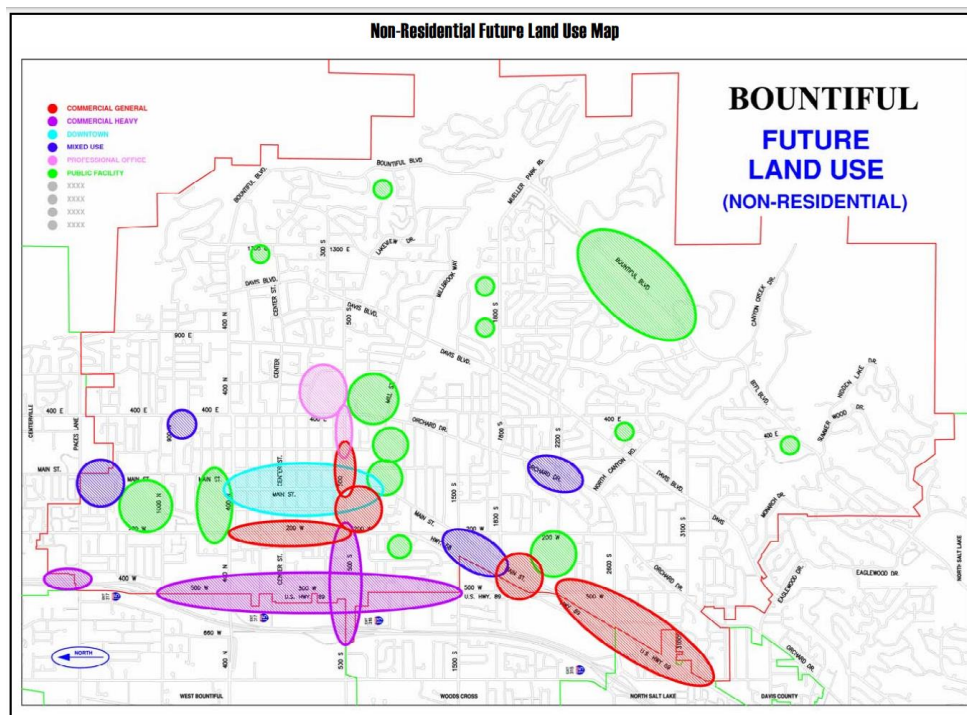


Figure 3. Bountiful Future Land Use Map, 2009

### Site Characteristics

The typical site zoned MXD shall encompass at least five (5) acres; however smaller projects that demonstrate outstanding characteristics may also be considered. Additionally, sites zoned MXD should be adjacent to major transit corridors. This site is less than five (5) acres and fronts a major transit corridor (Orchard Drive). Outstanding characteristics of a development may include elements of interest, quality, and amenity. The development

plans show public amenities, such as walkways, courtyards, and plazas. This project plan also includes thoughtful design, where the new buildings complement the existing structures on site by using similar architectural lines and materials.



### ***Sub-Zone Standards***

The applicant is proposing the MXD-R designation, where 50%-75% of the land uses are residential. As proposed, most of the site would be dedicated to the multi-family residential uses (70%), such as the existing units in the back and the units above the commercial facing Orchard Drive. The proposed commercial land use (30%) includes the ground floor spaces facing the street, as well as the inviting plazas, courtyards, and pathways surrounding the structures, which are accessible and inviting for the public through landscaping features (See Diagram on Sheet AS101.1, Attachment Proposed Development Plan). This proposed site would benefit from adding more amenities to these areas, such as places for seating (benches, tables and chairs, etc.). Staff recommends the development plan include specific language to include these amenities on the landscape plan.

### ***Permitted Uses***



This proposal includes allowing residential and the following commercial use types: banks, credit unions, construction services, food preparation, bakery, general retail, grocery store, laundromat, mail office, medical/dental office, non-motorized recreation, personal services, professional services, public/private assembly, restaurant, small engine/appliance repair, tailor, seamstress, shoe repair, thrift store, tutoring, dance, preschool, daycare, and vehicle parts sales. It should be noted the Land Use Code (14-10-109) states that all uses allowed in the development shall be processed as if they were permitted uses.

***Development Characteristics***

Development within the MXD zone shall exhibit urban characteristics, such as: wide sidewalks, street trees and street furniture, community gather spaces, shared parking, integrated transit (where available), and diverse and distinctive design features. The development plan meets these characteristics; however, as mentioned above, staff recommends add inviting features/elements such as benches, tables, and/or chairs to the public amenity areas.

The applicant provided a parking study which utilizes the Institute of Transportation Engineer’s (ITE) Parking Generation Manual to determine parking for both multi-family residential (low-rise and mid-rise types) and small office building. The peak hours for a small office land use are typically between 8:00 AM to 5:00 PM hours, where the parking demand for multi-family housing low-rise is between 11:00 PM to 6:00 AM and multi-family housing mid-rise is between 10:00 PM to 6:00 AM. The following table was provided in the attached Parking Study, which illustrates the number of parking stalls required on weekdays and weekends (The development plan would provide 77 stalls):

*Table 1 – Parking Generation for Hidden Gardens Apartments Expansion*

ITE Land Use Code	Land Use Description	Size	Weekday 85th Percentile Rate	Parking Stalls	Saturday 85th Percentile Rate	Parking Stalls	Sunday 85th Percentile Rate	Parking Stalls
220	Multifamily Housing (Low Rise)	22 Units	1.52	<b>34</b>	1.59	<b>35</b>	1.66	<b>37</b>
221	Multifamily Housing (Mid Rise)	16 Units	1.47	<b>24</b>	1.33	<b>21</b>	2.05	<b>33</b>
712	Small Office	4,309 SF	4.17	<b>18</b>	*	*	*	*
<b>TOTAL</b>				<b>76</b>		<b>56</b>		<b>70</b>

\* = 85<sup>th</sup> Percentile Rate not available in the ITE Parking Generation Manuals

***Phasing Plan***

The applicant provided the following phasing plan:

1. West garden style residential units (Building C and D, shown below)
2. MXD-R Building (A or B, shown below)

3. MXD-R Building (B or A, shown below)

For this proposal, a phasing plan may be needed to construct buildings in a reasonable amount of time. Staff finds that mixed-use development and construction should be phased alternating between multi-family residential and commercial to ensure the entire project is developed from start to finish. For example, staff recommends the following phasing plan for this specific project:

1. West Garden Style Building (D or C)
2. MXD-R Building (A or B)
3. West Garden Style Building (C or D)
4. MXD-R Building (B or A)



**Department Review**

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

**Significant Impacts**

The site is wedged between commercial and residential zoned properties, as well as mixed-use property. Providing a residential/commercial mixed-use component along Orchard Drive does not adversely affect the surrounding neighborhood.

**Recommendation**

Staff recommends the Planning Commission review this request, hold a Public Hearing, and forward a positive recommendation to the City Council based on the findings of fact discussed above, subject to the following:

1. Submit an updated parking study for review (via Site Plan Application) if the proposed commercial space changes from office to a more intense permitted commercial use, based on increased parking demand.
2. Staff recommends add inviting features/elements such as benches, tables, and/or chairs to the public amenity areas.
3. Follow the Staff recommended phasing plan outlined above.

**Attachments**

1. Proposed Ordinance
2. Applicant's Narrative
3. Proposed Development Plan
4. Parking Study



# BOUNTIFUL

MAYOR  
Kendalyn Harris

CITY COUNCIL  
Kate Bradshaw  
Richard Higginson  
Matt Murri  
Cecilee Price-Huish

CITY MANAGER  
Gary R. Hill

# DRAFT

Bountiful City  
Ordinance No. 2024-09

An ordinance amending the Bountiful City Zoning Map changing the zoning designation of a 2-acre parcel from Multi-Family Residential (RM-19) and General Commercial (C-G) to Mixed-Use (MXD-R) Zoning.

It is the finding of the Bountiful City Council that:

1. The Bountiful City Council is empowered to adopt and amend zoning maps and ordinances pursuant to Utah State law and under corresponding sections of the Bountiful City Code.
2. As required by Section 14-2-205 of the Bountiful City Land Use Ordinance this zone map amendment is found to be in harmony with the objectives and purposes of the Land Use Ordinance.
3. After a public hearing, the Bountiful City Planning Commission recommended in favor of approving this proposed zone map amendment on **October 15, 2024**.
4. The Bountiful City Council held a public hearing on this proposal on **November 12, 2024**, and finds that the requested zone map amendment is in harmony with the City's General Plan and in the best interests of the health safety and welfare of the City.

**Now therefore, be it ordained by the City Council of Bountiful, Utah:**

**Section 1.** The official Zoning Map of Bountiful City is hereby amended to designate the zoning for the following property as Mixed Use (MXD-R).

**2122 South Orchard Drive  
Parcel # 050020125**

BEG AT A PT N 50°56'04" W 2115.82 FT FR THE E 1/4 COR OF SEC 31-T2N-R1E, SLB&M; & RUN TH N 85°26' W 437.06 FT; TH S 29°03'15" W 231.52 FT; TH S 86°10'15" E 462.69 FT TO THE W LINE OF A STR; TH N 23°32' E 216.49 FT ALG SD STR TO THE POB. LESS & EXCEPT THAT SMALL STRIP ALG THE W END OF SD PPTY, & RECORDED JUNE 12, 1962, BK 244, PG 148 & BEING MORE PART'LY DESC AS FOLLOWS: BEG AT A PT IN A FENCE LINE ON THE W BANK OF THE BOUNTIFUL IRRIGATION CANAL, WH PT IS N 0°56" W 751.08 FT & N 89°07" W 1836.09 FT & N 23°32' E 590.02 FT & N 66°28' W 33.0 FT & N 85°26' W 437.06 FT, M/L, FR THE SE COR OF THE NE 1/4 OF SEC 31-T2N-R1E, SLB&M, & RUN TH SW'LY ALG SD FENCE LINE 231.52 FT, M/L, TO THE S LINE OF THE ARNOLD WILLIAM MELBY PPTY; TH SE'LY ALG SD S PPTY LINE A DISTANCE WH IS 20 FT PERP TO THE SD FENCE LINE; TH NE'LY ALG A LINE PARALLEL TO AN 20 FT DISTANT FR THE SD FENCE LINE 231.52 FT, M/L, TO THE N LINE OF SD PPTY; TH NW'LY ALG THE N LINE OF SD PPTY TO THE POB. CONT. 2.051 ACRES

**Section 2.** This ordinance shall take effect immediately upon first publication.

Adopted by the City Council of Bountiful, Utah, this **12<sup>th</sup> day of November 2024.**

DRAFT

\_\_\_\_\_  
Kendalyn Harris, Mayor

ATTEST:

\_\_\_\_\_  
Shawna Andrus, City Recorder

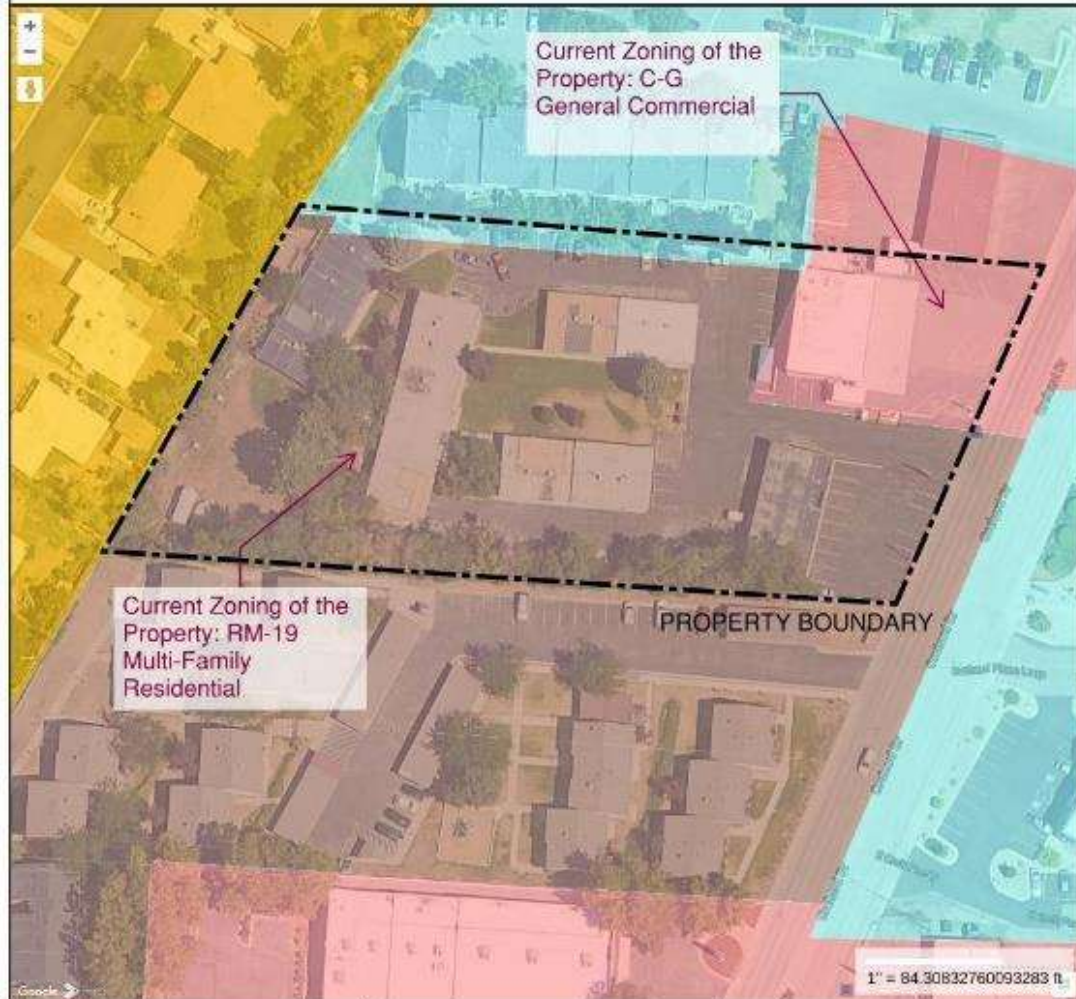
# DRAFT

## Zoning Amendment

Bountiful, Utah

October 2, 2024

### Proposed Rezone at 2122 Orchard Drive



MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

Bountiful, Utah makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Print map scale is approximate.  
Critical layout or measurement  
activities should not be done using  
this resource.



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# HIDDEN GARDENS ON ORCHARD

July 16, 2024

# HIDDEN GARDENS ON ORCHARD

- Objective: Seek a positive recommendation from the Planning Commission for the proposed amendment to the Future Land Use Plan, Rezone, and Concept Development Plan
- WHO
- MARKET
- THE PROPERTY
- THE COMMUNITY
- NEXT STEPS



# WHO



**Over 2 decades of vision for Bountiful Main Street including multiple steering committees, input on zoning and future planning with the city.**

We could not do this on our own:

Architectural Design: Process Studio – Eric Egenolf & Dwight Yee

Civil Engineer Design: Entellus Engineering – Scott Argyle & Team

# WHO

## **KNOWLTON GENERAL on a LOCAL LEVEL.**

Two MXD-R Buildings located on 100 S Main “VITO’S, TOUCHE, SWEET CAKE BAKE SHOP, & WHISPERWOOD BOUTIQUE”

(Always used in Bountiful City Marketing campaigns)

Three 6-Plex Residential Buildings & One 12-plex located on 100 South.

Bountiful Lumber MXD-R Development “BLACKSMITH ICE CREAM CO.”

Main Street Commercial Improvements: “MAIN ATTRACTION, & HEPWORTH & FISHER”

Lakewood’s Furniture MXD-R “FAMILY VISION, RESOLUTIONS”

300 S MXD-R “LOX STUDIO SALON”

## WHO cont.

**KNOWLTON GENERAL on a LOCAL LEVEL.**

Renaissance MXD-R “RENNAISSANCE PLACE – DENTAL, LA MIRA (RESIDENTIAL), LOT 11 TOWNS + MXD-R (UNDER CONSTRUCTION)”

Old Smith’s Site located on 2150 Orchard Drive “GOLDEN WEST CREDIT UNION, QUILTERS ATTIC, & RESIDENTIAL TOWNS ”

Marie Callender’s Site MXD-R Development “MXD-R TBD, TWO 12-PLEX RESIDENTIAL”

Main Street Commercial Improvements: “MAIN ATTRACTION, & HEPWORTH & FISHER”

Various other multi-family projects located around the city on 300 N, 200 N, and 300 S.

*We are excited to further economic development on Orchard Drive with the proposed Hidden Gardens Development utilizing our expertise we have previously provided to Bountiful City in these three vital city centers.*

# MARKET

## UTAH AND SLC NATIONALLY

3<sup>rd</sup> Consecutive Year Ranked 1<sup>st</sup> “**BEST STATE FOR BUSINESS AND CAREERS**”  
FORBES – Ranked 1<sup>st</sup> “**STATE JOB GROWTH**” U.S. BLS 2015 – SLC Ranked 5<sup>th</sup>  
in “**AMERICA’S 20 FASTEST GROWING CITIES**” FORBES 2016 & 3<sup>rd</sup>  
Consecutive Year in “**TOP 100 BEST PLACES TO LIVE IN US**” Livability.com  
2016 – Ranked 1<sup>st</sup> in “**POPULATION GROWTH RATE**” US CENSUS – Ranked 1<sup>st</sup>  
“**TOP STATES FOR BUSINESS**” CNBC 2016

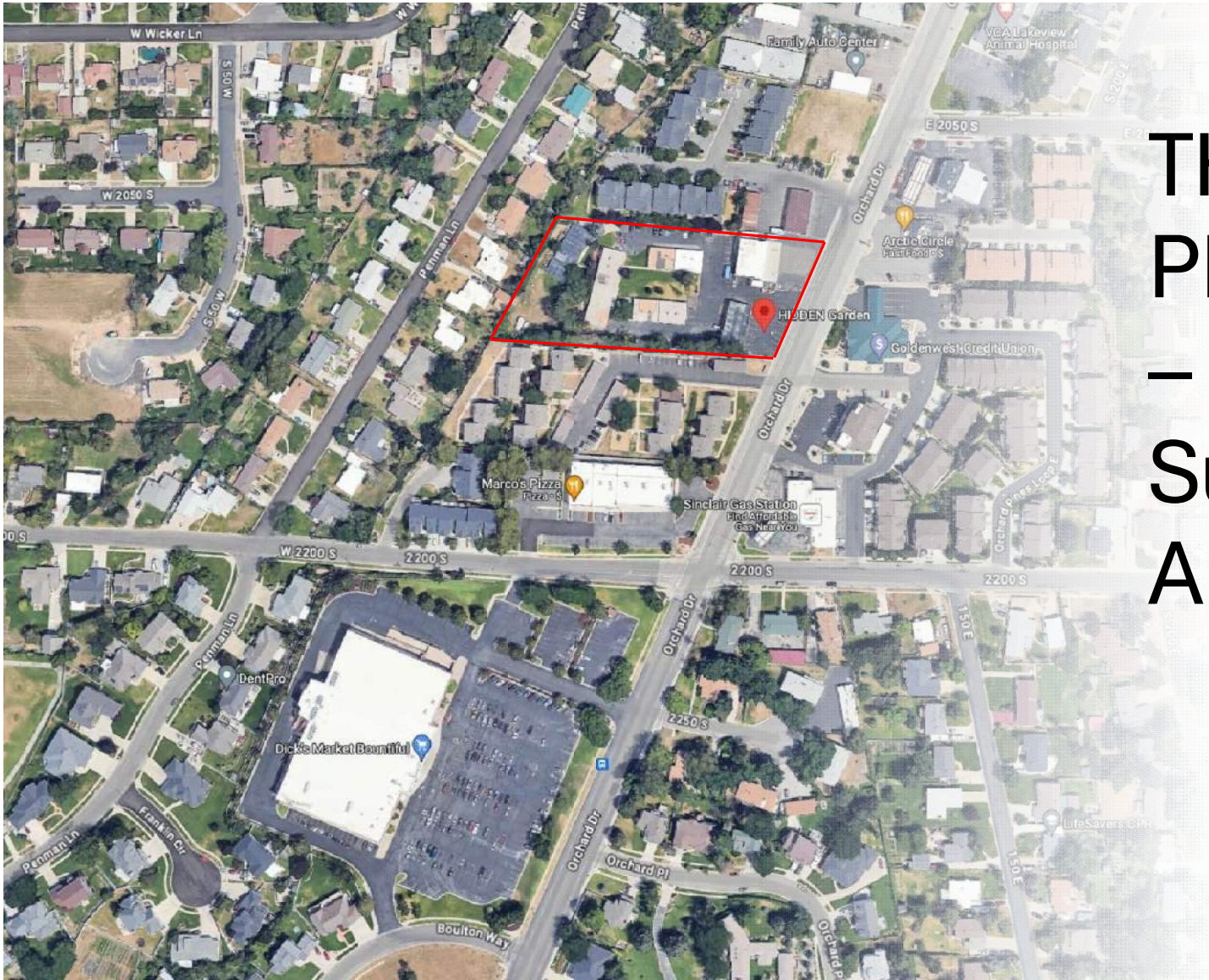
## BOUNTIFUL LOCALLY

Ranked 7th “**BEST SUBURBS TO LIVE IN UTAH**”

Ranked 7th “**BEST SUBURBS FOR YOUNG PROFESSIONALS IN UTAH**”

Articles of note:

“**Utah communities still among fastest-growing in country, Census estimates show**” by  
Deseret News in May 2016



# THE PROPERTY – Surrounding Area



# COMMUNITY MAP



***Zone Map Amendment Explanation for 2.051-acre property***

*The address of the subject property according to the County Assessor:  
Hidden Gardens on Orchard, 2122 South Orchard Drive, Bountiful, UT 84010*

*Parcel: 050020125*

*ACRES: 2.051*

*Current Zone: RM-19 Multi-Family Residential Zone / C-G General Commercial*

*On the 12th of November 2019 the following ordinance was updated:*

*Bountiful City Ordinance No. 2019-06 An ordinance updating the 2000 Moderate income Housing Plan, as reported to the state in 2007, 2010, 2012, 2014, and 2018.*

*Now therefore, be it ordained by the City Council of Bountiful, Utah:  
Section 1. The Moderate Income Housing Plan is hereby updated to include a recommendation to implement the following planning strategies:*



*\* Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones.*

*\* **Allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers.***

*\* **Encourage higher density or moderate income residential development near major transit investment corridors.***

*\* Preserve existing Moderate Income Housing.*

*Section 2. This ordinance shall go into effect immediately upon first publication. Adopted by the City Council of Bountiful, Utah, this 12th day of November 2019.*

*Our Goal: Be a part of the solution with creating a visually pleasing edifice that contributes to the higher density or moderate income residential need with close proximity to an identified major transit investment corridor along Orchard Drive.*

*The proposed General Plan Amendment of MXD-R is in harmony with Bountiful City's Land Use Master Plan. The proposal anticipates using the commercial + residential use and by using a transitional style architecture, to compliment the conditions that exist in the general area to warrant such a change include the following:*

- The property is located in the heart of the Orchard Drive Commercial Corridor and residential neighborhoods of Bountiful, with commercial, restaurant, convenience store & retail properties surrounding it.*

*Additional roof tops are one of the major drivers to provide the environment for new and existing retail, commercial, and other business to succeed.*

### **GOALS AND POLICIES (Orchard Drive)**

#### *Economic Development*

**1. Goal:**

*Provide diverse economic and employment opportunities and encourage multiple scales of commercial development to serve the needs of the region, the community, and individual neighborhoods.*

**2. Goal:**

*Orchard Drive becomes more walkable over time.*

*Encourage local neighborhood nodes that provide day to day small-scale, locally-owned businesses and services.*

**3. Goal:**

*Create an attractive setting for pedestrian access to transit.*

*Bring buildings to street to improve character and visual appeal of area, especially for pedestrians*

*We feel that this development would make a design statement and contribution to the overall economic goals of the Goals and Policies by adding smaller scale commercial development and locally-owned businesses with residents that contribute to the success of the small business owners.*

Development at **2122 S Orchard Drive**, in the MXD-R Zone will be in accordance with the standards contained in the Bountiful Land Use Ordinance and the approved plan except as specifically modified within this Development Plan.

**Section 1.** The official Zoning Map of Bountiful City is hereby amended to designate the zoning for the following property as MXD-R (Mixed Use-Residential):

**Section 2.** Development of the property described in this ordinance shall be subject to the following standards:

**SITE CHARACTERISTICS**

Lot Area 2.051 Acres

**PERMITTED USES**

Per the MXD-R Zone, with the following changes:

- Residential
- Multi-family (no requirement for covered space per unit. However, if carports are provided as an amenity, carports can be placed to property line provided they are non-combustible, drain away from property line and do not have any vertical posts within 5’ of property line.
- Commercial: Banks, Credit Unions, Construction Services, Food Preparation, Bakery, General Retail, Grocery Store, Laundromat (self operated), Mail order/online distribution office, Medical/Dental Office and Lab, Non-Motorized Recreation, Personal Services, Professional Services, Public/Private Assembly, Restaurant, Small Engine/Appliance Repair, Tailor, Seamstress, Shoe Repair, Thrift Store, Tutoring, Dance, Preschool, Daycare, Vehicle Parts Sales.

## **SETBACKS AND HEIGHT LIMITATIONS**

*Maximum building height to be measured on the front façade of the building side facing Orchard Dr and not to exceed 35'*

## **MINIMUM BUILDING SETBACKS**

- 1. Public right-of-way: 20 feet (2122 S Orchard Drive)*
- 2. Side yard per Civil Site Plan*
- 3. Rear Yard per Civil Site Plan*
- 4. Building Separations per Civil Site Plan.*

## **3. DEVELOPMENT CHARACTERISTICS/OPEN SPACE:**

*Consistent with the MXD-R zone with the following changes:*

- 1. The development shall provide at least 15 percent of the gross floor area or 15 percent of the gross site area, whichever is greater, as a common open space. Open space may include any or all the following: cultivated landscaping, plazas, parks, urban trails/sidewalks, benches, art pieces and community recreation space. All connectivity will be per the Civil Site Plan.*
- 2. A maximum of 50 percent of all open space may be hard surfaced.*
- 3. Private (deck/porch) space to be consolidated into the common green space to accommodate the existing conditions. Additional private (deck/porch) space will not be required on new units in consideration of the existing large common area.*

#### 4. SIGN STANDARDS

*Consistent with the MXD-R zone*

#### 4. LIGHTING STANDARDS

*Consistent with the MXD-R zone*

#### LANDSCAPE

*All existing landscape including the area around the new Duplex to remain unchanged and not be added to. Landscape for the two new MXD-R buildings and 4-plex shall follow civil site plan and landscape plan application/submittal for Site Plan. Street trees to be provided only in the frontage area to the North and South as shown on the site plan.*

#### PARKING AND ACCESS

- 1. Parking shall be per the provided Parking Study. Parking side yard/stall/drive isle shall be as specified on the Civil Site Plan utilizing the existing conditions as the standard. Existing side yard setbacks, and parking setbacks shall be the standard as shown on the proposed Civil Site Plan.*
- 2. Carports for residential units are not required. However, if provided as an amenity, carports can be placed to property line provided they are noncombustible, drain away from property line and do not have any vertical posts within 5' of property line.*

## *7. CONNECTIVITY*

*All connectivity shall be per the Civil Site Plan.*

## *PHASING*

*Project will be phased in order outlined below.*

- 1. West garden style Residential Units*
- 2. MXD-R Building*
- 3. MXD-R Building*

*Any other zoning inconsistencies regarding setbacks, parking, landscape or height, the site plan will take precedence.*

*We thank you for your consideration and look forward to further discussion.*

*Sincerely,*

*Brian Knowlton & Randy Beyer*

























































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## EXISTING CONDITIONS

### *Surrounding Land Uses and Roadways*

This proposed development is an expansion of the current Hidden Gardens Apartments. The property is bordered to the east by Orchard Drive. To the north and south of the property is multifamily housing. To the west of the property is single family homes. The property currently consists of 17 apartment units and two retail buildings. The existing 17 apartment units will remain and the two retail buildings will be removed with the proposed expansion.

### *Roadways*

Orchard Drive: Orchard Drive is a major arterial roadway that provides connectivity throughout Bountiful and is located along the east frontage of this proposed development. Orchard Drive currently consists of two lanes in each direction without on-street parking. Currently along Orchard Drive there is a two-way left turn lane for vehicles to access the many developments along this roadway. The posted speed limit is 35 mph.

## PROPOSED SITE CONDITIONS

The proposed Hidden Gardens Apartments expansion will consist of adding 4,309 SF of office space and adding 22 additional multifamily housing units. This would bring the total number of multifamily units for the site to 38, 22 new units with 16 existing units. The proposed site plan, as illustrated in Exhibit 2, will continue to use the existing access onto Orchard Drive. Note that the proposed site plan does show 17 existing units, however from discussions with the property owner, there are only 16 units as the existing site skipped unit number 13. The proposed site plan has been designed to provide 77 parking stalls. Refer to Exhibit 2 for the proposed site plan of this Hidden Gardens Apartments expansion.



Exhibit 2 – Hidden Gardens Apartments Expansion Site Plan



## PARKING GENERATION

In order to generate the anticipated number of parking stalls needed for the Hidden Gardens Apartments expansion, the *Institute of Transportation Engineer's (ITE) Parking Generation Manual 5<sup>th</sup> Edition* was used. Land Use Code 220 – Multifamily (Low-Rise), Land Use Code 221 – Multifamily (Mid-Rise) and Land Use Code 712 – Small Office Building were used to generate the number of parking stalls. The description of Land Use Code 220 – Multifamily (Low-Rise) states “multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and with one or two levels (floors) of residence”. The existing apartments as well as the 4 townhomes units (BLDG D) and duplex (BLDG C) of the Hidden Gardens Apartments will have one to two levels of residential units. The description of Land Use Code 221 – Multifamily (Mid-Rise) states “multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and between the and ten levels (floors) of residence”. The proposed mixed-use buildings (Building A and Building B) will have three levels of residential units. The description of Land Use Code 712 – Small Office Building states, “A small office building typically houses a single tenant and is less than or equal to 5,000 gross square feet in size.” The office

space associated with this expansion will be a total of 4,309 SF and is split between Building A (2,524 SF) and Building B (1,785 SF). Within the Land Uses in the *Parking Generation Manual*, there are also different settings/locations depending on where the development is located. There are urban/suburban settings to dense multi-use urban settings. Depending if the development is located near rail transit or not, there are also different calculations. For purposes of this Hidden Gardens Apartments expansion, the General Urban/Suburban settings and not near rail transit were used. The *ITE Manual* uses an average rate over all the parking studies that were analyzed and also generates an 85<sup>th</sup> percentile rate for some land uses. For purposes of this study, the parking numbers were generated using this 85<sup>th</sup> percentile rate for land uses where it was available. Refer to the appendix of this statement for the full description and parking generation research from the *ITE Parking Generation Manual*. Table 1 illustrates the number of parking stalls needed for this development using the average rates available from the manual.

*Table 1 – Parking Generation for Hidden Gardens Apartments Expansion*

ITE Land Use Code	Land Use Description	Size	Weekday 85 <sup>th</sup> Percentile Rate	Parking Stalls	Saturday 85 <sup>th</sup> Percentile Rate	Parking Stalls	Sunday 85 <sup>th</sup> Percentile Rate	Parking Stalls
220	Multifamily Housing (Low Rise)	22 Units	1.52	<b>34</b>	1.59	<b>35</b>	1.66	<b>37</b>
221	Multifamily Housing (Mid Rise)	16 Units	1.47	<b>24</b>	1.33	<b>21</b>	2.05	<b>33</b>
712	Small Office	4,309 SF	4.17	<b>18</b>	*	*	*	*
<b>TOTAL</b>				<b>76</b>		<b>56</b>		<b>70</b>

**\* = 85<sup>th</sup> Percentile Rate not available in the ITE Parking Generation Manuals**

As seen in Table 1, the number of parking stalls needed for the Hidden Gardens Apartments expansion varies from a typical weekday to a typical weekend. The proposed Hidden Gardens Apartments expansion will need 76 parking stalls during a typical weekday, 56 stalls on a typical Saturday and 70 stalls on a typical Sunday. These calculations are assuming full occupancy of both the office and the residential units and using the 85<sup>th</sup> percentile rates from the *ITE Manuals*. The proposed site plan provides a total of 77 parking stalls for this development. This is one parking stall more than the calculated number of occupied stalls per the *ITE Parking Generation Manual* under the worst-case scenario, which would be on a weekday with 76 parking stalls. This also

assumes the maximum amount of parking stalls are needed for both multifamily and office at the same time.

The *ITE Parking Generation Manual* also provides the “Percent of Weekday Peak Parking Demand” tables. These table provide an average percentage of the number of stalls that are needed throughout the day based on the land use and the time of day. These tables can be found in the appendix of this statement. The peak demand for parking for a Small Office land use is typically between the 8:00 a.m. to 5:00 p.m. hours. Where the peak demand for parking for a Multifamily Housing (Low-Rise) is between 11:00 p.m. to 6:00 a.m. and Multifamily Housing (Mid-Rise) is 10:00 p.m. to 6:00 a.m. This illustrates that many of the parking stalls within the proposed development can be shared between the two land uses, even though there are sufficient stalls provided if they were on the same peak times. Table 2 illustrates the parking demand percentages and number of stalls needed for different times of the day based on the parking generation numbers from the *ITE Parking Generation Manual* listed in Table 1.

*Table 2 – Weekday Parking Demand Percentages based on ITE*

Hour Beginning	ITE Land use: 220: (%)	Parking Stalls	ITE Land use: 221: (%)	Parking Stalls	ITE Land Use 712: (%)	Parking Stalls	Total Parking Stalls
12:00-4:00 a.m.	100%	34	100%	24	0%	0	<b>58</b>
5:00 a.m.	97%	33	94%	23	0%	0	<b>56</b>
6:00 a.m.	90%	31	83%	20	0%	0	<b>51</b>
7:00 a.m.	77%	26	71%	17	0%	0	<b>43</b>
8:00 a.m.	56%	19	61%	15	27%	5	<b>39</b>
9:00 a.m.	45%	15	55%	13	69%	12	<b>40</b>
10:00 a.m.	40%	14	54%	13	88%	16	<b>43</b>
11:00 a.m.	37%	13	53%	13	100%	18	<b>44</b>
12:00 p.m.	36%	12	50%	12	81%	15	<b>39</b>
1:00 p.m.	36%	12	49%	12	81%	15	<b>39</b>
2:00 p.m.	37%	13	49%	12	84%	15	<b>40</b>
3:00 p.m.	43%	15	50%	12	86%	15	<b>42</b>
4:00 p.m.	45%	15	58%	14	92%	17	<b>46</b>
5:00 p.m.	55%	19	64%	15	85%	15	<b>49</b>
6:00 p.m.	66%	22	67%	16	4%	1	<b>39</b>
7:00 p.m.	73%	25	70%	17	0%	0	<b>42</b>
8:00 p.m.	77%	26	76%	18	0%	0	<b>44</b>
9:00 p.m.	86%	29	83%	20	0%	0	<b>49</b>
10:00 p.m.	92%	31	90%	22	0%	0	<b>53</b>
11:00 p.m.	97%	33	93%	22	0%	0	<b>55</b>

When using the weekday parking demand percentages as outlined in the ITE Parking Generation Manuals for these land uses, the peak number of parking stalls that would be needed is 58 with the shared parking.

## CONCLUSION

Based on the provided site plan, the Hidden Gardens Apartments expansion will consist of 38 multifamily residential units (apartments/townhomes) and 4,309 SF of office space. The proposed layout of the development will provide for 77 parking stalls on site. Using the *ITE Parking Generation Manual*, the calculated number of parking stalls will range from 76 parking stalls during a typical weekday, 56 parking stalls on a typical Saturday and 70 parking stalls on a typical Sunday. The proposed site plan will provide enough parking stalls as is recommended by the *ITE Parking Generation Manual*. These calculated numbers are assuming both land uses, are using 100% of the required number of parking stalls at the same time, which is a scenario that will not happen as Office Space is occupied during the hours of 8 a.m. to 5 p.m. typically and apartments/townhomes utilize the parking spaces during the night time hours as people are off work and at home.

Using the *Percent of Peak Parking Demand Tables* from the *ITE Parking Generation Manual*, these land uses will not overlap with their peak demands for parking on a typical weekday. Using these percentages between the two different land uses, the peak number of parking stalls needed for this site is 58 stalls which is significantly less than the 77 parking stalls designed. Therefore, using the ITE Parking Generation for these proposed improvements to the Hidden Gardens, there would be adequate parking as designed per the provided site plan.

Please feel free to contact me with any questions or comments.

Sincerely,

### FOCUS ENGINEERING & SURVEYING, LLC

  
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