

LAYTON CITY PLANNING COMMISSION MEETING

Tuesday, May 11, 2004

Present: Chairman Kim Squire, Commissioners Hugh Parke, Chad Curtis, Keith Preece, Mike Bouwhuis, Kathy Hyde and Dave Pratt

Absent: Commissioners Robert Langford and Ron Stallworth

Others Present: Staff members Scott Carter, Peter Matson, Kem Weaver, Steve Garside, Gayla Thompson, and Councilman Winslow Hurst

Chairman Squire brought the meeting to order and led the Pledge of Allegiance. Chairman Squire invited anyone in the audience who may wish to participate in the opening ceremony. There was no volunteer so Commissioner Curtis offered the invocation.

TERRAVENTURE REZONE (R-S to CP-1 – continued)

Location: Approximately 500 North 2200 West

Peter Matson, City Planner, brought the Commission and audience up-to-date on the petition to rezone approximately 40 acres located on the west side of 2200 West to commercial. He stated that a committee of residents from the Swan Meadows Subdivision has met several times to coordinate input regarding the proposed commercial area. Mr. Matson stated that the staff has met with the applicant a couple of times to discuss the various options associated with the development of the property.

Mr. Matson stated that at the time the Commissioners' packets were finalized, the citizen group was scheduled to meet with a larger community group. Mr. Matson stated that given the uncertainties associated with that meeting, it is the general consensus that a development agreement is the way to proceed with this request, and that the Commission table this item to allow additional time to sort out the details for the agreement.

Mr. Matson stated that in addition, the Planning Staff has met twice with the City Engineer to discuss the future alignment of the 2700 West corridor and how important that is to the future development of the future commercial center that the General Plan talks about to be at the intersection of 2700 West and West Hillfield Road. He pointed out the utility issues associated with property that Utah Power & Light owns, underneath the power lines and how it impacts the development of the commercial node at the four corners of the intersection. Mr. Matson stated that another meeting has been scheduled with additional staff members to try and come up with a consensus or a viable alternative to address the power corridor.

Chairman Squire acknowledged the presence of the citizens in attendance for the proposed rezone.

Nicole Call, spokeswoman for the citizens committee, expressed thanks for the opportunity to meet with the developer in an effort to develop the project property so that it works for the citizens as well as the community. She provided a slide presentation for three different ways the

property could be developed. The alternatives showed different layouts for commercial, professional business, and residential.

Petitioner Dave Adams stated that he would like to have the time to have his architect address the alternatives presented by the citizens committee. He asked that this be tabled to the last meeting in June.

MOTION: Commissioner Preece made the motion to continue this item to June 22, 2004. Commissioner Hyde seconded the motion that passed unanimously.

PHILLIPS STREET LEASE

Location: Phillips Street and Main Street

Scott Carter, Community Development Director, presented a request received by Tip's RV to lease a parcel of property that belongs to the City. The parcel is actually a small portion of Phillips Street running between Main Street and I-15. The property is approximately 150' long and is no longer used as a public right-of-way.

Bruce Johnson, owner of Tip's RV, would like to utilize the space for expansion of his trailer sales area. Both Tip's and Wasatch Trailer utilize the property for loading, unloading and storage of their products.

Mr. Carter explained that it has been determined that the street was never deeded or dedicated and therefore is administered by the City as a parcel of land. He stated that the action before the Planning Commission is to determine if the parcel may reasonably be leased without impacting basic City services. There are public utilities located within the right-of-way.

It was the consensus of the Commission that leasing the property would not impact City services.

MOTION: Commissioner Parke made the motion to recommend the City Council approve the request to lease the portion of Phillips Street between Main and I-15 subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Bouwhuis seconded the motion that passed unanimously.

LEGACY VILLAGE PRUD, PHASE 4 – FINAL APPROVAL

Location: Approximately 1150 West 1000 North

Zoning: R-2 PRUD

Kem Weaver, City Planner presented the request to develop 18 additional condominium units (Phase 4). This is the final phase of the project.

As part of the project's density bonus points, the developer is required to construct two tot lots as part of this last phase.

MOTION: Commissioner Curtis made the motion to recommend the City Council grant final approval subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Preece seconded the motion that passed unanimously.

EAGLE GATE COLLEGE – CONDITIONAL USE REQUEST

Location: 915 North 400 West

Zoning: CP-3

The request is to locate a college in the existing office building south of the Training Table and Red Lobster. There are currently existing extensions of Eagle Gate College in Murray and Provo. The college will initially occupy 9,000 sq.ft. in the existing building. If the school meets their anticipated growth, they plan to build another 5,000 sq.ft. building to the west next to the I-15 frontage road.

Brian Shelly, applicant, explained that the majority of the students attend night classes. They expect to have a capacity of 300 to 400 students. He stated that currently, they have 500 to 600 students enrolled.

Chairman Squire asked if there were any citizen's comments. Cory Clark, who lives on Church Street, expressed his concerns with existing traffic issues and stated that the college would increase the traffic on Church Street.

MOTION: Commissioner Parke made the motion to grant conditional use approval, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof; including occupancy approval from the Fire and Building Divisions. Commissioner Curtis seconded the motion that passed unanimously.

HAFB CONDITIONAL USE REQUEST

Location: Alfred Drive, Vae View Subdivision

Zoning: R-1-8

Kem Weaver explained the proposal by Hill Air Force Base to construct an extraction system to clean up contaminated ground water. A portion of the system will be located in Alfred Circle, but the majority will be positioned in Vae View Park.

Chairman Squire asked if there were any comments from the citizens. There were no comments.

MOTION: Commissioner Pratt made the motion to grant conditional use approval, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Bouwhuis seconded the motion that passed unanimously.

TERRAVENTURE ANNEXATION AND REZONE (A to R-S)

Location: Approximately 651 South 2200 West

Peter Matson presented the petition to annex and rezone approximately 72.71 acres located on the east side of 2200 West, to allow for the development of single family homes.

Mr. Matson pointed out the location of the Bonneville power line corridor that runs diagonally through the property. He stated that the applicant is working with Utah Power to access and utilize the property for open space.

Mr. Matson stated that the rezone proposal is consistent with the land use and density recommendation of the General Plan. He pointed out the major issues that will need to be addressed and recommended a development agreement be required to address those concerns.

Chairman Squire asked if there were any comments from the citizens.

Mike Grant stated that the annexation would create an unincorporated island. He expressed his concerns with growth and existing traffic problems.

Steve Garside, Assistant City Attorney, explained the State law restricting annexations that leave unincorporated islands.

Keith Frederickson stated that his property was annexed against his will.

Grant Call stated that his property was annexed because he needed water. He also expressed his concerns with developing more property and existing water issues.

Robert Rogamar asked that the City stop development until there are streets sufficient to handle the traffic.

Chairman Squire brought the discussion back to the Commissioners for a motion.

MOTION: Commissioner Bouwhuis made the motion to recommend the Council approve the annexation subject to the developer entering into a development agreement that will address development issues. Commissioner Parke seconded the motion that passed with a 4:2 vote. Opposed: Commissioners Keith Preece and Chad Curtis

MOTION: Commissioner Parke made the motion to recommend the Council approve the rezone to R-S subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Bouwhuis seconded the motion that passed with a 4:2 vote. Opposed: Commissioners Preece and Curtis

T-MOBILE COMMUNICATIONS – CONDITIONAL USE REQUEST

Location: 1534 West Weaver Lane

Zoning: Agriculture

Kem Weaver presented the request to locate a cell tower near Heritage Elementary School. The applicant has worked with Davis County School District to locate the 100' monopole in the northwest portion of the property.

Mr. Weaver stated that the tower is designed to accommodate up to three co-locators if needed in the future. He reviewed the site plan and elevations of the proposed equipment building. Mr. Weaver indicated that the landscape plan is weak and stated his recommendations for approving the conditional use.

Chairman Squire asked for comments from the audience. There were no comments.

MOTION: Commissioner Preece made the motion to grant conditional use approval, subject to the recommendations stated in Mr. Weaver's memo of May 11, 2004, as well as all other staff

requirements which are made a part hereof. Commissioner Parke seconded the motion that passed unanimously.

T-MOBILE COMMUNICATIONS – CONDITIONAL USE REQUEST

Location: 322 Colonial

Zoning: R-1-6

Mr. Weaver presented the request to locate a cell tower near Whitesides Elementary School. The applicant has worked with Davis County School District to locate the 100' tower against the parking area on the north side of the building.

Mr. Weaver reviewed the site plan with the Commissioners. He indicated that this cell site is within a mile of two other cell sites. He stated that the applicant has provided documentation that provides evidence of coverage problems in target areas.

Chairman Squire asked if there were any comments from the audience.

Lynn Maxfield asked if there would be any interference with his television reception. Patty Thornton, a representative of T-Mobile stated that there should be no interference.

MOTION: Commissioner Preece made the motion to grant conditional use approval, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Parke seconded the motion that passed unanimously.

BROMSFIELD SUBDIVISION – PRELIMINARY APPROVAL

Location: Approximately 50 South Highway 89

Zoning: R-1-10

Kem Weaver presented the proposal to develop a 19-lot subdivision located immediately south of Tanglewood and Twin Peaks Subdivisions.

Mr. Weaver mentioned that developer has submitted the required grading and drainage plans for the project since the Commissioners' packets were prepared. The developer has met the City Engineer's requirements at this point. The staff memos were reviewed.

MOTION: Commissioner Parke made the motion to recommend the City Council grant preliminary approval subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Hyde seconded the motion that passed unanimously.

BALL/WIGHT/STAPLES REZONE (R-1-8 to R-1-8 PRUD)

Location: Approximately 525 North Church Street

Peter Matson presented the request to rezone approximately 1.47 acres located on the east side of Church Street for the future development of a "planned residential unit development".

Mr. Matson explained that while the Planning Staff feels that a PRUD could work on this site, if the architecture and design of the buildings/units are properly scaled to fit the site and with the

surrounding neighborhood. The City Engineer recommends the request be denied due to street connection issues.

The concept for the PRUD was reviewed. Chairman Squire stated he would like to see the open space and how it is used before approving any concept plan. He also stated his concerns with the City Engineer's issues.

Applicant Tom Wight stated that the open space would be useable. He explained the units would be owner occupied and would be approximately 1200 sq.ft. units with full basements and single car garages.

Chairman Squire turned the time over for public comments.

Connie Adams submitted a petition opposing the proposed development. She complained about the problem with people currently trespassing from the City park area.

Dale Flemming disagreed with the developers that claimed this project would not create additional traffic. He claimed that Church Street is in bad repair and that it is heavily traveled.

Keith Miller stated that they have enough problems with the school children trespassing – now there would be an apartment community too. He complained about the traffic on Church Street and the water pressure in the area.

Robert Rogamar stated that there is currently too much traffic on Church Street.

Chairman Squire brought the discussion back to the Commission. The Commission questioned whether or not there would be enough bonus points to validate the higher density. They also had concerns with the City Engineer's issues. Commission Bouwhuis suggested the developer get a meeting together with the City staff, the developer and the neighbors to address the issues.

MOTION: Commissioner Parke made the motion to table this issue to May 25, 2004, and recommended the developer meet with the City staff and the neighbors to address the issues. Commissioner Hyde seconded the motion that passed unanimously.

HILTON HOTEL – CONDITIONAL USE REQUEST

Location: 762 West Heritage Park Blvd.

Zoning: B-RP

Kem Weaver presented the conditional use request for a private club with a bar in the new Hilton Hotel presently under construction along with the Davis County Conference Center.

The applicant would like to locate the private club within the hotel portion of the conference center/hotel. The club would service both the hotel customers as well as those individuals visiting the conference center. This is the last available tavern/private club site in the City.

The staff recommends approving the request.

MOTION: Commissioner Curtis made the motion to grant conditional use approval, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Preece seconded the motion that passed unanimously.

ENTERPRISE RENT-A-CAR – CONDITIONAL USE REQUEST

Location: 865 West 1000 North

Zoning: C-H

The site was originally constructed and occupied by Merrills Paint & Glass. Enterprise is currently located in Clearfield, north of the Layton/Clearfield City boundary.

Kem Weaver presented the proposal. The staff recommends approval, subject to those items listed in Mr. Weaver's memo of May 11, 2004.

Kevin Hooley, Area Rental Manager for Enterprise, was present. He stated they would have no problems meeting all City requirements.

MOTION: Commissioner Hyde made the motion to grant conditional use approval, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Preece seconded the motion that passed unanimously.

DANIEL JAMES CONDITIONAL USE REQUEST

Location: 1724 West 2000 North

Zoning: C-H

The applicant, Daniel James, was present. The request is to establish a mobile store site at the existing Conoco convenience station located on the northwest corner of Antelope Drive and 1700 West. The business is an auto windshield chip repair business.

Kem Weaver reviewed the applicant's request with the Commission. Mr. James indicated that this would be a full time/permanent location.

Chairman Squire asked the staff to consider looking into the number of mobile stores within the City and consider putting a cap on them.

MOTION: Commissioner Preece made the motion to grant conditional use approval subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Hyde seconded the motion that passed unanimously.

Commissioner Preece made the motion to adjourn the meeting. Commissioner Hyde seconded the motion that passed unanimously. The meeting adjourned at 10:30 p.m.



Kim Squire, Chairman