

**LAYTON CITY PLANNING COMMISSION MEETING**  
**Tuesday, July 13, 2004**

Present: Chairman Kim Squire, Commissioners Keith Preece, Kathy Hyde, Mike Bouwhuis, Robert Langford, Ron Stallworth and Dave Pratt

Absent: Commissioner Hugh Parke

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. The Pledge of Allegiance was said. Chairman Squire offered the invocation.

**APPROVAL OF THE MINUTES**

Commissioner Hyde made the motion to approve the minutes of April 27, 2004, and May 11, 2004, as written. Commissioner Preece seconded the motion which passed unanimously.

**MATTHEW BATES – CONDITIONAL USE REQUEST REVISITED**

**Location:** 21 East Gentile

**Zoning:** C-H (DTO)

Kem Weaver, City Planner, explained that the City recently adopted an ordinance change that would allow for the indoor sales of recreational vehicles in the downtown overlay area, with conditional use approval.

The Planning Commission approved this request in June and allowed the applicant to utilize a 9'x20' outside display area. Through staff oversight, with regard to the newly adopted ordinance, the applicant is not allowed to have any form of outdoor display.

Commissioner Preece asked if the applicant could apply for a variance. It was explained that he could not apply for a variance, but that he could apply to amend the ordinance.

Dave Crapo addressed the Commission stating that he is associated with the business and was asked to speak for Matthew Bates. Mr. Crapo explained the need for outdoor display; that they would never have signed a 4-year lease and invested \$50,000 if they had known they would not be allowed to have outdoor display. Mr. Weaver explained that he had informed Mr. Bates about no outside display when he applied for his business license.

**MOTION:** Commissioner Langford made the motion to amend the conditional use approval for Matthew Bates by removing the approval of outdoor display. Commissioner Hyde seconded the motion which passed unanimously.

## **ERENE BURK DANCE STUDIO – CONDITIONAL USE REQUEST**

**Location:** 556 Marshall Way

**Zoning:** M-2

Kem Weaver presented the request to locate a dance and karate studio in the Sugar Street Industrial Park. The applicant would like to lease 2500 sq.ft. in an existing building. Mr. Weaver explained the hours of operation, the types of classes, etc.

The applicant was present. The staff recommends approval of the request subject to the applicant applying for the necessary tenant finish permits and being approved for occupancy by both the Fire Dept. and the Building Division. There were no comments from the audience relative to this issue.

**MOTION:** Commissioner Bouwhuis 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 Stallworth seconded the motion which passed unanimously.

## **PARK MEADOWS SUBDIVISION, PHASE 5 – FINAL APPROVAL**

**Location:** Approximately 195 East 1550 North

**Zoning:** R-1-8

The request is to develop 32 single-family lots on 8.179 acres located near the west side of Fort Lane. The staff recommends final approval be granted subject to those items listed in their various memos.

**MOTION:** Commissioner Pratt 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 Hyde seconded the motion which passed unanimously.

## **ANTELOPE HILL SUBDIVISION AMENDMENT & PRELIMINARY APPROVAL**

**Location:** Approximately 75 East 2150 North

**Zoning:** R-1-10

The preliminary request is for Phase 4 of Antelope Hills, which is being created by the amendment of a portion of Phase 1. Kem Weaver explained that the area was originally proposed for an LDS Church, but since that time the Church has decided not to build on this site and the developer has had the property re-platted into eight single family lots.

Mr. Weaver explained that the rear yards on four of the lots border the Accident Potential Zone (APZ). Accessory structures may be built in this area, but no form of living area will be allowed. The staff has asked the developer to submit a letter from their geotechnical engineer stating that he concurs with the findings from the original geotech report. A note will be required on the final plat stating that the property owner of Lot 407 cannot modify the detention pond on his property and that he will be responsible for the maintenance and landscaping of the pond.

**MOTION:** Commissioner Preece made the motion to grant preliminary approval to Antelope Hill Subdivision, Phase 4, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Bouwhuis seconded the motion which passed unanimously.

## **FEATHERING SANDS SUBDIVISION, PHASES 1, 2 & 3 – FINAL APPROVAL**

**Location:** Approximately 3592 West Gentile

**Zoning:** R-1-10

Kem Weaver presented the request for 30 single-family dwelling lots on approximately nine acres located on the north side of Gentile Street. A detention basin is required for the development, which will be located in the southwest corner of the development and will be installed with Phase 3. The pond is required to be landscaped and maintained by a homeowners association (HOA). The HOA will also be required to maintain the landscape buffer on Gentile and the future 3700 West Street, as well as the entryway.

Mr. Weaver indicated that the developer has not yet submitted the required restrictive covenants. These will need to be submitted, reviewed and approved prior to being forwarded to the City Council for their approval. Mr. Weaver also indicated that the developer will be responsible to bond for the removal and relocation of the curb, gutter and sidewalk when 3675 West Street is extended north for future development.

**MOTION:** Commissioner Bouwhuis 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 Stallworth seconded the motion which passed unanimously.

## **CLEARWATER COVE PRUD, PHASE 16 – FINAL APPROVAL**

**Location:** Approximately 800 South Main

**Zoning:** R-1-6 PRUD

Mr. Weaver explained that each building in the PRUD is done as a phase. This phase is a 5-plex-condominium building. Four of the five units will have three bedrooms and the eastern unit will have a two-bedroom floor plan. The common area is located to the east of this phase. The units will have the same architecture as all the previous buildings (phases). Restrictive covenants need to be submitted that will include this phase in with the rest of the development.

**MOTION:** Commissioner Stallworth 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 which passed unanimously.

## **LARSEN/FLEMMING REZONE**

**Location:** Approximately 2800 West Gentile

**Zoning:** From A to R-S

Peter Matson, City Planner, presented the request to rezone approximately 22 acres located on the north side of Gentile Street to develop a single-family subdivision. Mr. Matson stated that the proposed R-S zone is consistent with the General Plan land use and density recommendation for the area.

The developer is working with the Engineering Dept. regarding the utility issues. There were no comments from the audience.

**MOTION:** Commissioner Langford made the motion to recommend the City Council approve the rezone subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Hyde seconded the motion which passed unanimously.

**MITCHELL/THURGOOD/193 ASSOCIATES REZONE REQUEST**

**Location:** Approximately 3100 North 1500 East

**Zoning:** From A to B-RP

Peter Matson presented the request to rezone approximately 30.80 acres located on the east side of North Hills Drive, from A to B-RP. The property is located near the bend of North Hills Drive as it curves north towards the entrance to Sun Hills Golf Course. The proposal is to build a youth educational facility, which is an approved use in the B-RP zoning district.

Mr. Matson stated that uses receiving site plan approval for this zone should be compatible with surrounding uses and integrated so that all development creates an open campus-like atmosphere. The Engineering Dept. has indicated several issues related to the storm drain system, the alignment of North Hills Drive, culinary water system, and the land drain system.

Chairman Squire stated that the consensus from the Commissioners in the early work meeting was that the site is the cornerstone of the whole area and should be developed and maintained with high standards. Mr. Matson stated that the proposed youth facility is a conditional use which will give the Commission the opportunity to “fine tune” the architecture and site improvements.

Valerie Corelli approached the Commission and acknowledged the utility issues that have been mentioned. She stated that they paid a lot of money for the property and now she is required to utilize some of the property for a detention pond. She stated she has been unable to obtain the required easements for the utilities as required by the City Engineer. She suggested to the City that they allow them to upgrade the storm drain line in North Hills Drive to accommodate this site.

Ms. Corelli explained the concept for a “therapeutic boarding school” for students 13 through 18 yrs.. She stated the students are children from high social status families. The students have no criminal background; they will have 100% control and not allowed off campus without supervision. She indicated this facility would be like the one in Syracuse. Ms. Corelli explained that it is not a lock down facility. They are planning a 35,000 sq.ft. administrative building and a 25,000 sq.ft. building to house a gym and swimming pool. There will be some residential units for the students and faculty. They will also staff nurses and therapists.

Chairman Squire stated that he is anxious to see the area developed as B-RP, but that the area should be a “show place” and should be done right.

The staff recommends approval of the rezone, subject to the approval of a development agreement that addresses all staff requirements.

**MOTION:** Commissioner Preece made the motion to recommend the City Council approve the rezone with a development agreement, as requested by staff. Commissioner Bouwhuis seconded the motion which passed unanimously.

**LAYTON RIDGES SUBDIVISION – ESCROW EXTENSION REQUEST**

**Location:** Approximately 3100 North 3200 East

**Zoning:** R-S

The bonding agreement for Layton Ridges expired on June 19, 2004. The developer is requesting a one-year extension. The staff recommends approving the request.

**MOTION:** Commissioner Bouwhuis made the motion to recommend the Council grant a one-year extension. Commissioner Hyde seconded the motion which passed unanimously.

**SPRING CREEK PRUD – AMENDMENT**

**Location:**

**Zoning:**

The request is to amend the eastern portion of the plat of Spring Creek by creating detached single-family dwellings. The plat has been recorded as attached dwelling units.

The City Engineer’s comments state that he is not opposed to the amendment be that the developer is required to provide a copy of the proposed plat amendment with the asbuilt utility locations super-imposed over the plat amendment to insure the utilities and laterals align with the new lots. The Public Works inspector will make an inspection to verify the utilities are in fact in place.

**MOTION:** Commissioner Preece made the motion to recommend the City Council approve the proposed amendment to Spring Creek PRUD, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Bouwhuis seconded the motion which passed unanimously.

Commissioner Stallworth made the motion to adjourn the meeting. Commissioner Langford seconded the motion which passed unanimously. The meeting adjourned at 8:20 p.m.

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Gayla Thompson, Secretary  
Planning Commission