

LAYTON CITY PLANNING COMMISSION MEETING
Tuesday, February 22, 2005

Present: Commissioners Dave Pratt, Hugh Parke, Kathy Hyde, Robert Langford, Ron Stallworth and Mike Bouwhuis

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

Vice Chairman Hugh Parke brought the meeting to order. The Pledge of Allegiance said. Commissioner Kathy Hyde volunteered to offer a prayer.

APPROVAL OF THE MINUTES

Commissioner Hyde made the motion to approve the minutes of January 25, 2005 and February 8, 2005, as written. Commissioner Ron Stallworth seconded the motion, which passed unanimously.

FREEDOM ENTERPRISES – CONDITIONAL USE REQUEST

Location: 1540 West 1000 North

Zoning: M-2

The site is located in the Swan Lakes Industrial Park. All retail uses in the M-2 zone along arterial streets are required to have conditional use approval.

The applicant was present. He explained that he warehouses and sells residential hardware materials. Kem Weaver noted that the floor plan shows 650 sq.ft. being used for retail space. The applicant will have to adjust the floor plan to meet the 40% rule and they will not be able to add other retail space to the use. The applicant indicated that he would comply.

MOTION: Commissioner Mike Bouwhuis made the motion to approve the conditional use request subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Stallworth seconded the motion, which passed unanimously.

HEARTLAND, LLC – REZONE REQUEST

Location: Approximately 1770 North Fort Lane

Zoning: From R-1-10 PRUD to R-1-8

Peter Matson presented the proposal to rezone approximately 7.25 acres located on the west side of Fort Lane. He explained that the applicant is interested in developing a single-family subdivision. The property was rezoned a few years ago for the development of a “planned residential unit development”. The project received preliminary approval but the developer never proceeded to final approval. The proposed R-1-8 zoning is consistent with the General Plan land use and density for the area. The Engineering and Fire Divisions have indicated a few issues that will need to be addressed upon development of the subdivision.

The time was turned over for public comments. The petitioner indicated he did not have any comments.

John Rose who lives on North Fort Lane, indicated that he supports this proposal more than he did the PRUD. He questioned why the applicant was not requesting a rezone to R-1-10. He indicated that there is about 50' to 60' between his property line and the APZ (Accident Potential Zone). Peter Matson explained that either zoning designation (R-1-8 or R-1-10) meets the density recommendations in the General Plan. Mr. Matson indicated that the parcel is a difficult one to develop.

MOTION: Commissioner Robert Langford made the motion to recommend the City Council approve the rezone request. Commissioner Hyde seconded the motion, which passed unanimously.

193 ASSOCIATES (CORELLI) – REZONE REQUEST

Location: Approximately 3100 North 1500 East

Zoning: From A to BRP

Scott Carter presented the request to rezone approximately 30.80 acres located on the east side of North Hills Drive, in anticipation of building a youth educational facility. The proposed use is allowed in the BRP zone and the BRP zone is consistent with the General Plan recommendation for this area.

Mr. Carter explained that in order to develop the site the developer needs to provide a utility easement through the Morishita property. Mr. Morishita is hesitant to grant this easement to the Corellis. Mr. Morishita told the staff he would grant the easement if the City would hold a public hearing and inform all surrounding residents of the Corelli's intent to create a youth facility. Mr. Carter stated that the staff mailed out over 180 notices to residents in the Sun Hills and North Hills Subdivisions and in the Quail Ridge Mobile Home Park.

Mr. Carter explained the operation of the facility from the description the Corelli's had provided. Todd and Valerie Corelli addressed the Commission. They provided additional information.

The time was opened for public comments.

Nicole Bayliss, as resident of Sunn Hills Subdivision, stated that she was okay with the Corelli's proposal, but she had concerns with the alignment of Church Street. She stated that North Hills Drive is a very busy, noisy street and she was concerned with another street being just as busy and noisy. Mr. Carter reviewed all the new roads proposed for the area on the overhead. He explained how the road patterns should distribute the traffic better than at present.

Nicole Johnson, a resident of North Hills Estates Subdivision, commended the Corelli's in their efforts on behalf of the youth. She too stated that the "dump road" is busy, noisy and that trash is always falling out of the vehicles. She was concerned with the new alignment of Church Street and whether it would be the same. She also stated that both subdivisions have many little children.

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

HARRIS POINTE COMMERCIAL – DEVELOPMENT AGREEMENT REVIEW

Location: Approximately 700 West Antelope Drive

Zoning: CP-1 and BRP

Peter Matson explained that the developers and members of the Harrisburg Place Subdivision Homeowners' Association (HOA) discussed the amendment to the development agreement in the early work meeting.

Mr. Matson explained how the amendment includes a change in the building location of four buildings in the northwest corner of the site. The approved and the proposed, amended site plans were reviewed. The buildings that were proposed for office and retail space (buildings 3 – 6) are now proposed for retail only. He stated that there would be no loss in the square footage of office space within the overall development.

Mr. Matson indicated that there will still be 60' setback between the buildings and the homes, and the setback area will include a 30' landscape buffer. The building heights will not change.

Commissioner Bouwhuis asked the HOA representatives how they felt about the proposed changes. Sherry Lamb said that she had no comments other than she would like to see Harris Blvd. not go through the subdivision.

MOTION: Commissioner Hyde made the motion to recommend the City Council approve the amendments to the development agreement for Harris Pointe Commercial Subdivision, as presented and suggested the staff and Council look into the feasibility of creating a 4-way stop on Harris Blvd. at the first intersection in Harrisburg Place. Commissioner Stallworth seconded the motion, which passed unanimously.

SHADYBROOK PARK SUBDIVISION, PHASE 1 – FINAL APPROVAL

Location: Approximately 2400 West 1000 North

Zoning: R-S

The request is to develop 27 single-family lots on 11.07 acres located on the south side of 1000 North.

The staff recommends final approval be granted, subject to the developer providing the City with a letter of approval from Davis/Weber Canal Company.

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 Dave Pratt seconded the motion, which passed unanimously.

SIERRA BELLA SUBDIVISION, PHASE 2 – FINAL APPROVAL

Location: Approximately 2800 West Gentile

Zoning: R-S

The request is to develop 25 single-family lots on 11.67 acres located on the north side of Gentile.

The staff recommends final approval be granted, subject to the developer providing the City with a letter of approval from Davis/Weber Canal Company and a storm water permit from the State.

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 Langford seconded the motion, which passed unanimously.

ORDINANCE AMENDMENTS/REVIEWS

Steve Garside, Assistant City Attorney, explained the amendment to 19.23.010, regarding water shares. The amendment provides a process for a developer to appeal the exaction requirement and in lieu of giving water shares and makes it possible to make a payment representing the cost of the equivalent number of shares that could have been extracted. He stated that basically it attaches a price for each share of water based on the cost of Weber Basin's wholesale secondary water cost per acre-foot.

MOTION: Commissioner Hyde made the motion to recommend the City Council adopt Ordinance 05-04, as explained by Attorney Garside. Commissioner Stallworth seconded the motion, which passed unanimously.

Commissioner Hyde made the motion to adjourn the meeting. The meeting adjourned at 8:35 p.m.

Gayla Thompson, Secretary to the Planning Commission