

LAYTON CITY PLANNING COMMISSION MEETING
Tuesday, August 9, 2005

Present: Chairman Hugh Parke, Commissioners Kathy Hyde, Ron Stallworth, Matt Henderson, Robert Langford and Sharon Esplin

Absent: Commissioners Mike Bouwhuis, Dave Pratt and Brent Allen

Others Present: Staff members Scott Carter, Kem Weaver, Peter Matson, Brittany Huff and Gayla Thompson
Councilmen Winslow Hurst and Renny Knowlton

Chairman Hugh Parke brought the meeting to order. Commissioner Langford volunteered to offer an invocation.

Commissioner Stallworth made the motion to approve the minutes of July 26, 2005, as written. Commissioner Esplin seconded the motion that passed unanimously.

TERRY AND ANNETTE EVERSON – CONDITIONAL USE REQUEST

Location: 946 South 225 East

Zoning: R-1-6

Kem Weaver presented the conditional use to allow for a third animal in the home for medical reasons. He explained that the City's ordinance has a provision where a third dog may be allowed as a "service dog".

Mr. Weaver stated that the applicant has provided the City with a medical history of the original two dogs and the reports indicate that both dogs are healthy and well kept. The service dog is currently 10 weeks old and is being trained to be a service dog for a member of the family.

The applicant has a dog run that is enclosed with a chain link fence and is screened from the street.

Mr. Weaver stated that the staff recommends approval of the conditional use request with a fourth item being added to his memo recommending that when one dog passes away, or is removed from the home for one reason or another, a new dog cannot take its place.

There were no public comments.

MOTION: Commissioner Esplin made the motion to approve the conditional use application subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof, including Mr. Weaver's recommendation to include the exclusion of a new dog replacing one, should one be eliminated from the home. Commissioner Henderson seconded the motion that passed unanimously.

PHEASANT PLACE SUBDIVISION – PRELIMINARY APPROVAL

Location: Approximately 550 South 1200 West

Zoning: R-S

The request is to develop 101 single-family lots on approximately 46 acres located on the west side of Angel Street (1200 West).

Kem Weaver presented the request and stated that the property was annexed in 2003. The proposed subdivision meets the ordinance requirements for “lot averaging”. The development will have 2.2 units per acre with the average lot size being 15,237 sq.ft. The developer has been working with adjacent property owners to obtain easements for storm water utilities. These utilities will align with the future 1700 West street that will extend from West Side Drive to West Gentile Street. The developer will be required to build half of the street (1700 West).

Keith Frederickson, an adjacent property owner, addressed the Commission and indicated that he was a recipient of a remnant parcel of this development, near the entrance off 1200 West. He indicated that he would like to have the zoning on the new parcel match his existing zoning which is agriculture. He stated that he is not happy about having to maintain the new sidewalk and that he is concerned that fencing will not provide the privacy he would like.

MOTION: Commissioner Stallworth made the motion to grant preliminary approval for the Pheasant Place Subdivision, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Hyde seconded the motion that passed unanimously.

GREYHAWK REZONE REQUEST

Location: Approximately 1800 East 3300 North

Zoning: From R2 to R2 PRUD and RM1 to RM1 PRUD

Commissioner Hyde made the motion to table this item until the staff has made their recommendations on the concept for the “planned residential unit developments”. Commissioner Langford seconded the motion that passed unanimously.

TERRAVENTURE REZONE – REVIEW OF DEVELOPMENT AGREEMENT

Location: Approximately 500 North 2200 West

Zoning: Recommendation to City Council

Peter Matson reiterated that the comments from the Swan Meadows citizens group had been made a part of the Commission packets and were reviewed in the work meeting.

Mr. Matson explained how the Terraventure proposal is consistent with the City’s General Plan and with the West Layton General Plan. Mr. Matson stated that the West Layton General Plan was adopted in 2001 and that in September of 2003 the Council reviewed the Goals and Policy recommendations regarding higher density along the frontages of arterial streets. Mr. Matson provided maps of the recommended land uses that are part of the adopted General Plan. The map included a commercial node near 2700 West Hill Field Road.

The time was turned over to the petitioners. Troy Sanders gave a power point presentation showing the schematic drawings that were part of their first proposal to the City. The drawings

showed one with a 100' right-of-way along the frontage of West Hill Field Road, the power corridor and a 2550 West corridor. The developers preferred plan was shown along with a second option. Mr. Sanders stated that the alternate plan was the one the Planning Commission recommended to the City Council. Approximate locations for the buildings in each zone were shown. Landscape buffers along the north side of the development in the R-2 and RM-1 zoning designation was shown. They plan to have the buildings setback 60' from the R-S zoning. Buffering and setbacks on the north side of the commercial areas was discussed.

The time was turned over to the citizens for comments.

Troy Harding, the spokesperson for the Swan Meadows citizens group stated that they are adamantly opposed to the plan. He stated that they do not want to see any multi-family housing and that the PB, BRP and the commercial zoning acreage is higher than that which is recommended in the West Layton General Plan. Mr. Harding stated that they had met with the Terraventure people to try and come to an agreement. He stated that Terraventure is saying that their proposed R2, RM1 zones are a "transition between the commercial node and single-family", as recommended in the General Plan. Mr. Harding stated that the General Plan states "single-family" and R-2 and RM1 are "multi-family" zones. He stated that they would like to see the developer be required to do the design for traffic signals so that when they are warranted, they will be ready to install. He also requested that the property be "posted" for any type of development that is planned, and that no 24-hour business uses be allowed.

Kathy Palmer, a realtor, claimed that apartments and/or multi-family units next to \$300,000+ homes destroys home and property values and that apartments have higher crime areas.

Mike Courtney, an Air Force retiree, stated that he moved from Logan to Layton and would not have done so if he would have known there was going to be a grocery store and/or multi-housing in this area. He stated that folks need to protect their investments.

Rich Stevenson, a resident of Wild Horse Springs Subdivision, stated that the West Layton citizens group wanted adequate buffers along arterials and that the committee recommended a 300' buffer from West Hill Field Road. He stated that the group thought the commercial node as being 8 to 9 acres, not 17 acres. He stated that development standards need to be set and met that will be used as West Hill Field Road is extended and developed to the Syracuse border.

Ed Green, a Layton resident and developer, stated that he is more concerned with the high density more so than the commercial. He stated that he was on the West Layton citizens group too and that he thought the minimum lot size in the west Layton area should be 10,000 sq.ft., but that he was voted down. Because of that he developed the Swan Meadows Subdivision under the R-S zoning designation. Mr. Green reiterated that buffering is the biggest issue to preserve the property values.

Chairman Parke brought the discussion back to the Commission. He stated that in his opinion, the developer and the citizens have both compromised and that the buffers are a big issue.

Commissioner Hyde agreed that there were concessions on both sides, but more so on the developer's side.

Troy Sanders explained that they can get into more details on the project as they go through the site plan review process and that the developer has already exceeded the ordinance requirements regarding buffering and landscape.

Rich Stevenson stated that the staff and the developer have had a year to work on this but that the citizens have had only two weeks. He suggested that some of the Commissioners work with the citizens and the developer to come up with some more ideas.

MOTION: Commissioner Hyde made the motion to table this item. Commissioner Henderson seconded the motion, which failed with a 2:3 vote.

MOTION: Commissioner Langford made the motion to forward the Development Agreement that has been reviewed with the additional items from the citizens group. Commissioner Esplin seconded the motion. Commissioner Stallworth suggested the motion include any modifications the staff, citizens and developer agree upon between now and the time the Council takes action. Commissioners Langford and Esplin agreed with the suggestion. The motion passed with a 4:1 vote. Commissioner Henderson voted against the motion.

Commissioner Henderson asked to be excused from the meeting at this time.

GOLDEN WEST CREDIT UNION – CONDITIONAL USE REQUEST

Location: 1278 North Hill Field Road

Zoning: P-B

Commissioner Hyde made the motion to table this to the next meeting as requested by the applicant. Commissioner Esplin seconded the motion that passed unanimously.

PEACEFIELD PRUD, PHASE 6 – FINAL APPROVAL

Location: Approximately 1800 East Gentile

Zoning: R-1-10 PRUD

Kem Weaver presented the proposal to develop 12 patio homes on a private street within the Peacefield PRUD. Mr. Weaver indicated that in the early meeting, the Commission had discussed the landscape modifications that had not been completed. He asked the representative from Symphony Homes about the status of the landscape. The representative indicated that the work has not yet been completed. Scott Carter indicated that the project was 75% completed.

MOTION: Commissioner Hyde made the motion to deny the request at this time. Commissioner Stallworth seconded the motion that passed unanimously.

D.L. SHIPPEN – CONDITIONAL USE REVIEW

Location: 280 East Gentile

Zoning: C-H

Kem Weaver reviewed the history of the conditional use with the Commissioners, mentioning that that Commission had revoked the conditional use on October 28, 2003. The reason for the revocation was due to the applicant not having met the conditions of approval for the outside display of swimming pools.

The applicant appealed to the City Council in December of 2003 and he was required to complete the conditions by May of 2004. The Council remanded the applicant back to the Planning Commission to inspect the site in May and to determine if the applicant had met the conditions. Mr. Weaver explained that the staff faulted in letting the probation period slip by and now, a year later, the applicant has inquired as to the status of his business license and conditional use.

Mr. Weaver stated that Mr. Shippen would like to keep the outdoor display and has completed the required conditions.

Mr. Shippen approached the Commission and explained that all the required landscape had been installed by the due date, with the exception of the trees and that was because Questar Gas had to tell him where to locate the trees.

Chairman Parke made the comment that the display area was (still) unsightly and questioned how Mr. Shippen could cover the bottoms of the pools.

MOTION: Commissioner Stallworth made the motion to re-instate the conditional use with a specific date of completion of not more than 30 days from today. Commissioner Langford seconded the motion that passed unanimously.

ORDINANCE REVIEWS/AMENDMENTS

19.15.050 – Non-conforming Uses: Brittany Huff explained Ordinance 05-34 to the Commission. The proposed amendment outlines the criteria on which the Zoning Administrator can authorize a succeeding, less intense, nonconforming use.

MOTION: Commissioner Langford made the motion to recommend the Council adopt Ordinance 05-34 as explained by staff. Commissioner Hyde seconded the motion that passed unanimously.

Commissioner Stallworth made the motion to adjourn the meeting. The meeting adjourned at 9:15 p.m.

Gayla Thompson, Secretary