

LAYTON CITY PLANNING COMMISSION MEETING
Tuesday, October 25, 2005

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

Absent: Commissioners Matt Henderson, Mike Bouwhuis and Dave Pratt

Others Present: Staff members Kem Weaver, Doug Pierce, Brittany Huff and Gayla Thompson

Chairman Parke brought the meeting to order. The Pledge of Allegiance was said. Commissioner Stallworth volunteered the invocation.

HELQUIST/FOWLER REZONE REQUEST

Location: Approximately 150 West 525 North

Kem Weaver presented the request to rezone approximately .75 acres located on the south side of 525 North, from R-1-8 to R-1-8 with a “planned unit development overlay” (PRUD). The property is at the northwest end of Spurlock and is completely surrounded by R-1-8 zoning. The site was reviewed using the power point.

Mr. Weaver explained that the PRUD ordinance allows flexibility in the location of buildings, the consolidation of open spaces and the clustering of dwelling units. The applicant is proposing four, single-family, detached units on the site with two units sharing a common driveway onto 525 North and two units sharing a common driveway onto Spurlock Circle. The four units calculate to a density of 5.33 units per acre and would require a 33% density bonus to achieve the four units.

Commissioner Esplin made the motion to open the hearing for public comment. Commissioner Hyde seconded the motion that passed unanimously.

Richard Allen asked if the units would be rentals. He asked if there would be a through street from 525 North to Spurlock Circle. He asked if the cul-de-sac would be finished to a full radius.

Kevin Higley, one of the developers, stated that the units would be owner-occupied. According to the City Engineer’s input, there would not be a “through street”. Mr. Higley stated that they plan to install vinyl fencing around the perimeter of the project. Each unit would be a rambler, approximately 1600 sq.ft. and two to three bedrooms. The building materials would be brick and stucco on the fronts and sides with vinyl on the backs. He indicated there would be a homeowners’ association.

A resident who didn’t give her name asked what a PRUD was. Chairman Parke gave a lengthy explanation.

Delose Conner expressed his concerns with rental units. He stated that this site is within an established neighborhood and that the residents expect the zoning ordinance would protect their

rights and their properties. He stated that there are plenty of other areas in town where developers can do these types of projects without having to go into established areas.

James Schmidt stated the proposed use is out of character with the neighborhood and will destroy the continuity.

Carol Brimley read a letter from the Kennedys who couldn't be present for the meeting – opposing the rezone. She stated that she agrees with the Kennedys.

Jack Gaviet stated that he had served 12 years on the Planning Commission and that he understands the issues the Planning Commissioners face. He stated that he is concerned with the shared driveways and pointed out that there is not a lot of common space because of the number of units on the size of the property. He asked that the Commission consider the concerns of the citizens as well as the property owners.

Mike Higley, a resident of Payne Circle, stated that the proposed project does not fit in with the neighborhood. The site is too small for the number of units.

Another resident suggested the property have the same covenants as the Spring Hollow Subdivision.

Elissa Wyne stated that this is not the location for this type of development and that it would impact the schools.

Commissioner Stallworth made the motion to close the hearing to public comments. Commissioner Allen seconded the motion that passed unanimously.

Commissioner Allen stated that he doesn't disagree with the PRUD concept but that he doesn't like the concept design. He stated he didn't like the shared driveway and there is no place for visitor parking.

Commissioner Hyde asked if the developer would consider building three homes rather than four. She said she wondered if four homes would enhance the neighborhood, that three may be better.

Chairman Parke indicated that the Commission needs to consider the application that has been submitted.

Commissioner Stallworth agreed with Commissioner Allen. He stated that any property owner has the right to rent out their home. He encouraged the developer to work the issues out with the neighbors.

Chairman Parke stated that he felt this type of development would enhance the property values in the existing neighborhood.

MOTION: Commissioner Stallworth made the motion to recommend the City Council approve the rezone request and the proposed conceptual site plan, and suggested the petitioner work with the neighbors in an effort to work out their differences. Commissioner Allen suggested that the motion include re-designing the driveways. Commissioner Stallworth agreed to include that in

his motion. Commissioner Allen seconded the motion that passed with a 4:1 vote. Commissioner Hyde opposed the motion.

WILLIAMS/JONES REZONE REQUEST – RECONSIDERATION OF MOTION

Location: Approximately 3100 East Boulder Drive

Zoning: A to R-S

Kem Weaver explained that the City Attorney has asked that the Planning Commission reconsider their recommendation to the City Council to approve the rezone request, based on the fact that the property was inappropriately subdivided and the City does not recognize the subject property.

It was the consensus of the Planning Commission than rather than deny the request, they table it until such time as the property owner approaches the City to subdivide the property as required by State law.

MOTION: Commissioner Stallworth made the motion to reconsider the motion to approve the rezone from A to R-S as the City’s Legal Dept. does not recognize the illegal subdivision of property. Commissioner Hyde seconded the motion that passed unanimously.

MOTION: Commissioner Langford made the motion to table the Williams/Jones Rezone Request until further notice. Commissioner Esplin seconded the motion that passed unanimously.

UTILITY EASEMENTS TO “UTOPIA”

City Water Tank Site, approx. 2567 North Hill Field Road

Bamberger Right-of-way, approx. 290 North Church Street

Woodward Park, approx. 1500 North 25 East

Fort Lane & Church Street, Approx. 410 East 1090 North

Chapel Street Park, northeast corner of Chapel Street and Rosewood Lane

The Utah Telecommunications Open Infrastructure Agency (UTIOPIA) has made a request of Layton City to grant them a non-exclusive cable and facilities easement on the above referenced properties that are owned by Layton City. The proposed locations will not interfere with the City’s planned use of the properties.

MOTION: Commissioner Hyde made the motion to recommend the City Council approve the easements to UTOPIA. Commissioner Stallworth seconded the motion that passed unanimously.

Commissioner Allen made the motion to adjourn the meeting. The meeting adjourned at 8:00 p.m.

Gayla Thompson, Secretary