

**LAYTON CITY PLANNING COMMISSION MEETING
TUESDAY, SEPTEMBER 12, 2006**

MEMBERS PRESENT: Commissioners Robert Langford, Tim Pales, Gerald Gilbert, Sharon Esplin

ABSENT: Commissioners Hugh Parke, Ron Stallworth, Brent Allen, and Kristin Elinkowski, Dave Pratt

OTHERS PRESENT: Staff Members: Scott Carter, Peter Matson, Kem Weaver, Amanda Jorgensen, Brittany Huff, Judy Bell, and Councilman Mike Bouwhuis

PUBLIC REVIEWS:

(1) LDS CHURCH ANNEXATION

Approximately 700 South Angel Street

(Tape recording was not started until this point.)

Peter Matson, Long Range Planner, presented the proposal to annex approximately 40 acres on the west side of Angel Street for the construction of a new church. The LDS Church has requested to annex the entire 40 acres to allow for storm sewer to flow to the west through Robert Farms. The sanitary sewer will connect at 1200 West. Since the storm sewer installation is offsite of the development, a developmental agreement will be drawn up. Rezoning of the property is not proposed, therefore, the property will be zoned A (Agriculture) by default. Staff is recommending approval of the annexation with a development agreement.

Commissioner Esplin moved to forward the Planning Commission's recommendation of approval in regard to the annexation and annexation agreement to the City Council for their approval.

Commissioner Tim Pales seconded the motion, and the voting was unanimous.

(2) BENCHMARK REAL ESTATE – CONDITIONAL USE – MODEL HOME

463 North 3475 West

City Planner, Amanda Jorgensen, presented Benchmark Real Estate's conditional use request for a model home at 463 North 3475 West for the Wild Horse Meadows Subdivision. The final plat for the Wild Horse Meadows Subdivision was approved by the Planning Commission on June 28, 2004. The model home is on the second lot which on the north end of the subdivision on West Hillfield Road. Staff recommends approval on the conditional use for the model home subject to the eight staff conditions which are hereby adopted as requirements.

- 1) No on street parking is allowed. The driveway shall be able to facilitate customer parking.
- 2) All lighting should be contained on the site per City ordinance.

- 3) Signage should be kept to a minimum of one sign for the home with the maximum size being 32 square feet.
- 4) Hours of operation must be noted and approved by the City.
- 5) Once the subdivision is 80% sold or after three years, which ever comes first, the model home needs to be sold as a residential home.
- 6) The landscaping shall be installed before receiving a certificate of occupancy.
- 7) Remove phone pedestal located on sidewalk.
- 8) Complete public and private sidewalks around the property.

Vice Chairman Langford asked if the developer was aware of all of the conditions. Ms. Jorgensen said the developer was aware of the conditions. Two conditions had been added to the original list of conditions: Condition 7: Remove phone pedestal located on sidewalk. Condition 8: Complete public and private sidewalk around the property. Ms. Jorgensen asked the developer who was in the audience if he was aware of the two additional conditions and he replied in the affirmative.

Vice Chairman Langford asked if there were any questions of the Commission. He asked the applicant if he had anything to add to the discussion. The applicant replied that he had nothing to add unless there were questions from the Commission.

Commissioner Gerald Gilbert moved that the Planning Commission approve the conditional use request for a model home to the City Council for approval based on the applicant meeting all Planning Staff recommendations.

The motion was seconded by Commissioner Tim Pales and the voting was unanimous.

Vice Chairman Langford called for a motion to close Public Review. The motion to close Public Review was made by Commissioner Gilbert and seconded by Commissioner Pales. The voting was unanimous.

OTHER CONSIDERATIONS:

Vice Chairman Langford called for a motion to recommend Judy Bell as secretary to the Planning Commission which would give her authorization to sign the approved minutes of the meetings. Commissioner Pales moved to recommend Judy Bell as the secretary to the Planning Commission and seconded by Commissioner Gilbert. The voting was unanimous. Vice Chairman Langford congratulated Ms. Bell on her appointment.

(3) DANIEL'S CANYON SUBDIVISION – PRELIMINARY APPROVAL

Approximately 1300 North and 3200 East

Kem Weaver, City Planner, presented the request for preliminary plat approval for the Daniel's Canyon Subdivision which is located at approximately 1300 North and 3200 East. Mr. Weaver said the property was rezoned to R-1-10 years ago and the developer has been working the past 10-12 years to get preliminary approval. There have been issues on this property delaying the process for the development of the subdivision. Some of the issues were outlined in the memo to the Planning Commission. Any outstanding issues, particularly those of the City Engineer, must

be completed before receiving final plat approval and will be subject to the approval of the preliminary plan.

Mr. Weaver said the proposed subdivision consists of 10 lots on 15.73 acres of vacant hillside property. He presented an aerial photo map of the property and pointed out a bench area that may or may not be natural. He pointed out the flat area of the subdivision where the majority of the homes would be placed. 1300 North Street is at the top of the picture in the presentation with an access road to give access to the subdivision itself. Forest Service property is along the east boundary line of the subdivision. There is property owned by Mr. Wall and the County to the north and Snow Canyon Subdivision to the west.

Mr. Weaver stated that utilities have been a major hurdle for the property. Past Engineering Division memos have addressed storm water in both detention and capacity. Also addressed were water availability, sanitary sewer connections, and the importance of a land drain system for the subdivision. Mr. Weaver stressed the importance of a storm drain system for this subdivision. He outlined the route of the storm drain system and reviewed where a storm water detention basin will be required to be constructed. He said the developer will be required to organize a home owners' association (HOA) to maintain the detention basin. Mr. Weaver also reviewed the requirements for the water supply to the subdivision. Slope stability issues were reviewed and addressed. Ground water will be controlled by land drain system to be installed. The State Geologist office is requiring that piezometers be installed to monitor ground water levels. Rock captures will be installed east of the subdivision to catch any rocks falling off the slope.

Street access will be a public street with a minimum of a 50-foot right-of-way. Maximum grade of the access road in the area will be 12 percent as approved by the City Engineer and the Fire Marshall. All lots except two will have access off the public road. A private road will be constructed for the other two lots.

Staff recommends that the Planning Commission forward a positive recommendation to the City Council for preliminary approval of the Daniel's Canyon Subdivision subject to meeting requirements in the City Engineer's memo before receiving final plat approval and also subject to meeting the requirements on two lists provided earlier in the review of the subdivision. The first was a letter of understanding between the City and Neil Wall dated November 23, 1999, and the second a participation or development agreement which was dated May 2, 2002. Mr. Weaver said many of the conditions in the letter had already been addressed.

Vice-Chairman Langford asked if there were questions from the Commission. Commissioner Gerald Gilbert asked the distance from the top of the slope where the homes will be built to the bottom of the lower road. Mr. Weaver stated the distance was 155 feet. Commissioner Gilbert expressed concerns about water already being detected at 30 feet with no further detention on the hillside. Mr. Weaver said that it shouldn't be a problem because of the land drain system that will capture any water from above. Mr. Weaver explained the process for installing a land drain system into the hillside.

There were no additional questions from the Commission. Mark Thayne, 1821 West Hillfield Road, was asked to come forward. He stated he was an employee of Neil Wall, the developer. Commissioner Gilbert asked if Mr. Thayne was familiar with the agreement with the neighbors below 3100 East and how the storm drain would be facilitate through their property. Mr. Thayne said the land drain either had been put in or the agreement was in place to install it. One owner preferred an open channel with rocks. Mr. Thayne declined to comment further since his focus in the subdivision was not in that area.

Commissioner Tim Pales asked if the detention pond required to be maintained by the HOA would be fenced and landscaped. Mr. Thayne said if it was deep enough to require fencing, it would be fenced and it would be landscaped. Mr. Weaver said if the storm drain basin was deeper than 2.5 feet it would have to be fenced.

Commissioner Gilbert moved that a recommendation for preliminary approval be forwarded to the City Council and asked that the Council review the two dated letters of May 2, 2002, and November 23, 1999, and possibly any other comments that might be in the file from the neighborhood during those times. He also asked if there was an updated version of the storm drain below 3100 East between Mr. Glende's and Mr. Long's properties in Snow Canyon, and that it be included in the recommendation to the City Council. He stated that the approval would be based on the developer meeting all Staff recommendations. The motion was seconded by Commissioner Sharon Esplin. The motion was approved.

Vice Chairman Langford said that the Commission asked that there be total communication between the developer and the Staff and said issues in the file will be disclosed to the City Council.

(4) ALEX PROPERTY SUBDIVISION – FINAL APPROVAL

Approximately 1100 North 2525 West

The original proposal was for a 12 lot subdivision, but the developer is currently proposing a 9 lot subdivision in an area zoned R-1-8. The former property owner will retain his existing home fronting on Gordon Avenue. Based on the natural slope of the ground to the southwest, the Engineering Division is allowing a reverse grade cul de sac which means the storm water that flows off the street will be collected at the end of the cul de sac and flow out to the Gordon Avenue storm drain system through an easement approved by the property owner. The lots meet the R-1-8 zoning requirements with regard to frontage and area. Staff requests removal of the letter R by each lot number printed on the plat. Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation for Final Plat approval of the Alex Property Subdivision to the City Council subject to the developer meeting all Staff requirements.

Vice Chairman Langford asked if there were any questions or comments from the Commission or the audience. There were none and Vice Chairman Langford called for a motion on the item. Commissioner Pales moved that the Planning Commission send a positive recommendation to the City Council to grant final approval of the Alex Property Subdivision subject to the developer meeting all Staff requirements. The motion was seconded by Commissioner Esplin and approved.

ORDINANCE AMENDMENTS/ REVIEWS

Vice Chairman Langford asked if there were any ordinance amendment reviews to consider. Mr. Weaver stated he was currently working on the salvage/recycle facility amendment and said it would be ready to present at the next Planning Commission Meeting.

Long Range Planner, Peter Matson, said the condo/townhouse zone amendment was a major priority and the second draft would be presented at a future meeting. He said the front yard setbacks in the R-S (Residential Suburban) lot averaged zone have lots that are quite varied in square footage. Vice Chairman Langford said that the purpose of the change is to reduce the front setback by 5 feet to allow for a bigger footprint on lots where one of the frontages is an

arterial street. Mr. Matson said the change could impact additional subdivisions. He discussed with Scott Carter, Community Development Director, if this would cause a problem in subdivisions already approved, where there could be a mix of 25-foot and 30-foot frontages.

Vice Chairman Langford called for a motion and said the five-foot front yard setback reduction had merit to be forwarded to the City Council for discussion. Commissioner Pales moved to forward the item to the City Council for discussion and the motion was seconded by Commissioner Gilbert and approved.

Vice Chairman Langford called for a motion to dismiss the meeting. There was a motion, second and approval to dismiss the meeting.

By _____
Julie K. Jewell, Secretary to the Planning Commission
Transcribed from tape January 22, 2008