

MINUTES OF LAYTON CITY PLANNING COMMISSION MEETING
April 22, 2008

MEMBERS PRESENT: Commissioners Sharon Esplin, Brent, Allen, Tim Pales, Kristin Elinkowski, Dave Pratt, Gerald Gilbert

ALTERNATE MEMBERS PRESENT: Blake Hazen, Ryan Stevenson

MEMBERS ABSENT: Ron Stallworth

ALTERNATE MEMBERS ABSENT:

OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver, Brandon Rypien, Steve Garside, Jeff Komel, Julie Jewell. City Councilman, Scott Freitag.

Planning Commission Chairman, Sharon Esplin, called the meeting to order at 7:01 p.m.

The Pledge of Allegiance was recited and Commissioner Brent Allen gave the invocation.

APPROVAL OF MINUTES

Chairman Esplin called for approval of the April 8, 2008, Planning Commission Minutes. Commissioner Blake Hazen moved to accept the minutes as presented. Commissioner Gerald Gilbert seconded the motion and the voting was unanimous.

Commissioner Gilbert moved to open Public Review. The motion was seconded by Commissioner Tim Pales and the voting was unanimous.

PUBLIC HEARING:

PUBLIC REVIEW:

THIROS REZONE – R-1-8 TO CP-2

.46 Acres at 2496 North Hillfield Road

Peter Matson, Long Range Planner presented a rezone proposal for the Thiros property at 2496 North Hillfield Road on the east side of Hillfield Road directly in front of Northridge High School. The property, with an existing home, is presently zoned R-1-8 (Single Family Residential). The proposed zoning is CP-2 (Planned Community Commercial). The property is on the northeast corner of the intersection of 2475 North and Hillfield Road. This is a new intersection created to provide a signalized access in front of the high school. Mr. Matson explained that the entrance to the high school off Hillfield Road is a public street. The City bought the property for the street, which had an existing home on it, and put in the signal light. The Utah Department of Transportation then assumed responsibility for the intersection, which aligns with the access to the subdivision on the west side of the street. Mr. Matson said Danny Thiros, who was not present at the meeting, is the representative for the owner. CP-2 zoning is typically at arterial street intersections with such businesses as Starbucks, Blockbuster and Maverick. Mr. Matson that the intent is that when the father moves out of the home, it will be used for a non-residential use. Mr. Matson said Staff feels the CP-2 zone is too intense of a commercial zone because of

the proximity to the school and surrounding land uses. Mr. Matson talked to Mr. Thiros about the CP-1 (Planned Neighborhood Commercial) zone with a development agreement to exclude some incompatible uses for the area. The other possibility Mr. Matson suggested to Mr. Thiros was the P-B zone (Professional Business), which allows office but no retail uses. Mr. Matson said Mr. Thiros will defer to the Staff to choose the most appropriate zone. Mr. Matson reviewed the history of the creation of the intersection stating that 2475 North is a public road. He said Staff feels a retail type of use generating more traffic may not be as appropriate as an office type use. Therefore, Staff recommends forwarding a recommendation to the City Council for the property to be rezoned to the P-B zoning designation.

Commissioner Pales asked about access to the property given the proximity of the home access to 2475 North. Mr. Matson said if the current home was used, the same access could be used. However, if the home were demolished, UDOT would most likely require that the access be moved as far north as possible.

Commissioner Esplin confirmed that the applicant would be satisfied with rezoning to P-B. Mr. Matson replied in the affirmative and said that he had spoken with the applicant who lives in Boise and had hoped he would be present to confirm his concurrence with this recommendation.

There were no questions from the Commissioners or the audience.

Commissioner Esplin called for a motion on the rezone request.

Mr. Matson asked the Commission to include in the motion that Staff must receive verification from the property owner to signify concurrence with the recommendation.

Commissioner Gilbert moved to deny a rezone of the CP-2 but send a favorable recommendation to the City Council for the property to be rezoned to P-B based on Staff's conversations with the applicant. The motion was seconded by Commissioner Pales, and the voting was unanimous.

BENCHMARK HOMES – Model Home – Conditional Use

3220 West 275 North

This property is in a R-S (Residential Suburban) Zoning District.

Brandon Rypien, City Planner, presented Benchmark Homes request for a conditional use for a model home in the Crimson Corners Subdivision located at 3220 West 275 North. The subdivision is zoned R-S (Residential Suburban) and is located west of the Wild Horse Springs Subdivision and north of the Wheatfield Estates Subdivision. He stated the model home will be used to advertise both Phases 1 and 2 of Crimson Corners. Onsite parking for both employees and customers will be required. The landscaping around the home must be in place before receiving a Certificate of Occupancy. The applicant must maintain the landscape buffer on 3200 west until the Home Owners' Association is formed and operating. The model home is allowed to have a maximum of 32 square feet of detached signage and 60 square feet of banner with 250 square feet of balloon attached to the home or a permanent detached sign on the property. Directional signs may be placed off site on private property with a maximum of three (3) signs per parcel and a maximum of 6 square feet per sign. All lighting is to be contained on site and must meet all City requirements. Mr. Rypien said Staff recommends approval of the model home subject to the applicant meeting the following conditions, which are hereby adopted as requirements:

1. Condition one was modified at the request of the Commissioners to read as follows: The model home temporary conditional use must be removed when the subdivision is more than 80% developed or has been occupied as a model home for three (3) years, whichever comes first.
2. Adequate off street parking must be provided.

3. An exterior lighting plan must be provided indicating the location, direction and timing of all lighting on the site.
4. Signage must meet all City requirements.
5. The hours of operation shall be 1:00 p.m. to 7:00 p.m.
6. The model home shall not be used as a general real estate office or construction management office for off-site developments.
7. All Building and Fire Department requirements must be met.

There were no questions from the Commissioners or the audience.

Commissioner Kristin Elinkowski moved to grant conditional use for the Crimson Corners model home subject to the applicant meeting all Staff requirements. Commissioner Brent Allen seconded the motion. The voting was unanimous.

BCL PROPERTIES REZONE – R-1-10 TO R-M2 PRUD

2.18 Acres at approximately 1200 East Gentile

Long Range Planner, Peter Matson, presented the rezone request for a 2.18 acre property containing two parcels at approximately 1200 East Gentile. The parcel on the east is currently zoned R-M1 (Low/Medium Residential), and the west, L-shaped property is zoned R-1-10. The request is to rezone both parcels R-M2 PRUD (Medium Density Planned Residential Unit Development). Mr. Matson gave an overview of the area and multiple family residential projects in the vicinity.

The applicant has submitted an application to rezone the parcels to R-M2 PRUD along with a conceptual site plan with a density of 16 to 24 dwelling units per acre. The applicant is proposing 42 units with a development agreement to limit density. With the proposed walk up multi-family development, he is not attempting to achieve maximum density on the property. The density bonus required to obtain 42 units would be 40 percent.

Layton City Engineering did not approve the conceptual plan due to additional information needed including existing and proposed utilities, topography and slope. In addition, corrections to the site plan submitted are required.

Mr. Matson said Staff feels that since the R-M1 zoning designation is most prominent in the area, R-M1 may be a more appropriate zoning for the property. He said Staff's recommendation is that the Commission forward a recommendation to the City Council to rezone the property to R-M1 rather than R-M2 PRUD once plans are submitted and approved and recommended tabling the item until a future Planning Commission meeting.

Chairman Esplin said it seemed best to table the item to the May 13, 2008, Planning Commission meeting. He asked the applicant or members from the audience to come forward to voice their opinions if they could not be present at the May 13th meeting.

Chairman Esplin explained the situation to Brian Lamano, the applicant, and said the Commission appeared to prefer the R-M1 zoning. Commissioner Allen and Commissioner Blake Hazen reiterated that the Commission's inclination was to recommend R-M1 zoning and they didn't want the applicant to spend time on an R-M2 proposal.

A member of the audience who had concerns indicated he could attend the May 13th meeting and would address the Commission at that time.

Commissioner Brent Allen moved to table the request for rezone until the May 13, 2008, Planning Commission Meeting. Commissioner Gerald Gilbert seconded the motion which was approved unanimously.

TROPHY HOMES GENERAL PLAN AMENDMENT and REZONE – A to R-M1 PRUD
9.86 acres at approximately 300 North King Street

Mr. Matson presented Trophy Homes request for a General Plan Amendment and Rezone for 9.86 acres at approximately 300 North King Street. He said that based on the request of the applicant and the recommendation of the City Fire Marshall, Staff is recommending that the item be tabled to May 13, 2008.

Chairman Esplin informed the audience that unless they would be unable to attend the May 13th meeting, comments for the Commission should be reserved for that time. A member of the audience indicated he would return for the May 13 meeting.

Commissioner Tim Pales moved to table the General Plan Amendment and Rezone request until the May 13, 2008, Planning Commission to allow for more information to be received. The motion was seconded by Commissioner Kristin Elinkowski and the voting was unanimous.

Commissioner Allen moved to close the Public Review. The motion was seconded by Commissioner Gilbert and the voting was unanimous.

OTHER CONSIDERATIONS:

COVENTRY ESTATES – FINAL APPROVAL

Approximately 1425 North 2000 East (35 lots, R-1-10)

This property is located in a R-1-10 (Residential Single Family) Zoning District.

Kem Weaver, City Planner, presented Coventry Estates request for final approval. Coventry Estates is a 13.69 acre subdivision proposing 35 lots adjacent to Cherry Lane with approximately 2.55 units per acre. Mr. Weaver overviewed the zoning of surrounding properties.

To alleviate concerns from a neighboring subdivision, the developer has provided a connection for subdivision traffic to Cherry Lane. A partial cul de sac will be created on Lot 31 and the developer is required to submit a \$15,000 bond for the turnaround to be removed when the street is straightened and connected to the adjacent properties.

Before any construction can begin, the applicant must submit a letter required by the Layton City Engineering Division from Kays Creek Irrigation confirming the subdivision can be served with secondary water.

Mr. Weaver said staff recommends the Planning Commission forward a recommendation for final approval of the Coventry Estates Subdivision based on the applicant providing the required letter from Kays Creek Irrigation.

Chairman Esplin called for a motion on the item. Commissioner Dave Pratt recommended that the Planning Commission forward a recommendation for final approval of the Coventry Estates Subdivision

based on the required letter from Kays Creek Irrigation being received and subject to Staff approval. The motion was seconded by Commissioner Allen and the voting was unanimous.

WINDSOR SQUARE PHASE 3 – PRELIMINARY APPROVAL

Approximately 100 West and 2675 North (2 lots)

This property is located in a M-1 (Light Manufacturing) Zoning District.

Mr. Weaver presented the Windsor Square Phase 3 request for preliminary approval. This phase is a portion of the Windsor Square Commercial Subdivision and is zoned M-1(Light Manufacturing). The commercial subdivision terminates with a temporary turn around. Mr. Weaver gave an overview of the design of the phase stating that one lot is a detention pond to service future development to the east as well as future development to Phase 3. The pond will need to be fenced for security reasons. Mr. Weaver said Staff recommends approval based on the applicant meeting all staff recommendations. Commissioner Gilbert moved to grant preliminary approval to Windsor Square Phase 3. Commissioner Pales seconded the motion and the voting was unanimous.

LAKESWOOD CONDOMINIUM CONVERSION – FINAL APPROVAL

1427 North 1500 West (4 units)

This property is located in a R-M1 (Low/Medium Density Residential) Zoning District.

Mr. Weaver presented a request to convert a 4-plex at 1427 North 1500 West into condominiums. Mr. Weaver gave an overview of the history of the area. He said the City Council will not be able to give final approval until the City receives covenants outlining responsibility for maintenance of open space, landscaping, and sanitary sewer laterals. The covenants will be recorded with the final plat, which has been approved by Staff. There will be a note on the plat indicating responsibility for maintenance of the laterals. The Layton City Building Division has inspected the property and found the units satisfactory for conversion to condominiums. The applicant will need to add handrails. Mr. Weaver said Staff recommends forwarding approval to the City Council subject to receiving the covenants and meeting all staff requirements.

Commissioner Pales moved to grant final approval for Lakewood Condominiums subject to covenants being received by Layton City and the applicant meeting staff requirements. Commissioner Elinkowski seconded the motion, which passed unanimously.

ORDINANCE AMENDMENTS/REVIEWS:

MOTION TO ADJOURN:

Commissioner Elinkowski moved to adjourn the meeting. The motion was seconded by Commissioner Blake Hazen and the voting was unanimous. The meeting adjourned at 7:43 p.m.

By _____
Julie K. Jewell, Secretary to the Planning Commission