

**MINUTES OF LAYTON CITY PLANNING COMMISSION MEETING**  
**May 13, 2008**

**MEMBERS PRESENT:** Commissioners Sharon Esplin, Tim Pales, Dave Pratt, Gerald Gilbert, Ron Stallworth

**ALTERNATE MEMBERS PRESENT:** Blake Hazen

**MEMBERS ABSENT:** Brent Allen, Kristin Elinkowski

**ALTERNATE MEMBERS ABSENT:** Ryan Stevenson

**OTHERS PRESENT:** Staff Members: Bill Wright, Peter Matson, Kem Weaver, Amanda Schultz, Steve Garside

Planning Commission Chairman, Sharon Esplin, called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited and Commissioner Dave Pratt gave the invocation.

Commissioner Blake Hazen moved to open Public Review. The motion was seconded by Commissioner Gerald Gilbert and the voting was unanimous.

**PUBLIC HEARING:**

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

Commissioner Esplin noted that Item # 1, which is the application by Trophy Homes to rezone 9.86 acres at approximately 300 North King Street from A to R-M1 PRUD, has been withdrawn.

He also noted that Item #5, Highway 89 Business Center conditional use request at 1288 North Highway 89, had also been withdrawn by the applicant.

These items will be discussed briefly but no action will be taken since they have been withdrawn.

**PUBLIC REVIEW:**

**(2) BOWDEN PLAZA** – Conditional Use for LED on Monument Sign – 116 North Adamswood Road. This property is located in a P-B (Professional Business) Zoning District. The applicant is Dr. Joseph Bowden.

Amanda Schultz, City Planner, presented the request from Dr. Joseph Bowden for an electronic message (LED) monument sign at his new clinic on 116 North Adamswood Road. She said Staff recommends the Planning Commission approve the request for the electronic message sign with the six conditions listed in the Staff report plus two additional conditions.

1. Said sign, which will be constructed along Gentile, shall be placed perpendicular to the street.

2. Said sign shall be the same or similar material that architecturally matches the primary structure.
3. Said sign shall be a low profile sign and meet all requirements from Section 20.04.100 of the sign code due to the P-B zoning of the site.
4. Said sign shall only operate from 6:00 a.m. to 10:00 p.m.
5. Said sign shall not cause glare or rapid blinking and shall not be so intensely lighted that it may create a nuisance or hazard to vehicular traffic, pedestrians or adjacent properties. These signs shall have a minimum of three (3) second intervals between screen changes. Any time an electronic sign is operating between sunset and sunrise said sign shall be set at not more than forty percent (40%) of the maximum capable light output.
6. Said sign shall dedicate five percent (5%) of daily sign usage to community service.

During the Work Meeting, the Commissioners recommended two additional conditions which are (1) that the sign will meet the requirements of the clear view ordinance and (2) that the sign will meet all of the City sign ordinance requirements.

Setback requirements and clear view requirements were discussed.

Commissioner Esplin asked the applicant, Dr. Joseph Bowden, if he was aware of and understood the conditions. Dr. Bowden said he did understand the conditions and requirements.

Commissioner Pratt moved that the Planning Commission approve the conditional use request subject to the eight (8) Staff recommendations which are hereby adopted as requirements. The motion was seconded by Commissioner Tim Pales and the voting was unanimous.

### **(3) BCL PROPERTIES REZONE – R-1-10 & R-M1 TO R-M2 PRUD**

2.18 Acres at approximately 1200 East Gentile

Peter Matson, Long Range Planner, explained that the item was on the agenda for the April 22, 2008, meeting. At that time, the Planning Commission tabled the review of this item to the May 13, 2008, agenda. Mr. Matson stated he had recently received two concept plans which he reviewed with the Planning Commission during the Work Meeting. He said the applicant, Brian Lamano, was present. His engineers have now prepared the utility plans to accompany the concept plans. However, the Planning and Engineering Departments have not had enough time to review the proposal. Based on a complete review not being available, the Planning Commission recommended that the item would be tabled to a date uncertain. The item would be on the agenda when all information has been received and reviewed by the Planning, Fire, and Engineering Divisions.

Mr. Matson said the applicant is now proposing a project based on the R-M1 PRUD zoning designation rather than the R-M2 PRUD for which he has applied. The density ranges of the two zoning designations and the design of the proposed development was reviewed. Mr. Matson said Staff concurs with the Planning Commission that time is needed for a review of the plans submitted and that tabling the item indefinitely is Staff's recommendation as well.

Chairman Esplin, asked the applicant, Brian Lamano, if he understood why the item was being tabled. Mr. Lamano said he understood that the item would be tabled indefinitely.

Commissioner Gerald Gilbert moved that the Planning Commission table the item indefinitely to allow the applicant enough time to get the information needed to Staff. The motion was seconded and the voting was unanimous.

#### **(4) FAIRFIELD MEADOWS COURTYARD HOMES – REZONE R-1-8 TO R-1-6 PRUD**

9.61 acres approximately 400 South Fairfield Road

Mr. Matson reviewed the location of the property and surrounding area zoning designations. He explained the process of the PRUD overlay review. He said the Planning Commission recently recommended approval of a R-1-8 single family subdivision on the site previously titled Fairfield Meadows. Since that time the property owner has been working with the developer to develop a concept plan for the site. The proposal is to develop a single-family project with the homes being accessed off common courtyard driveways. Mr. Matson reviewed the possible design of the homes. Mr. Matson gave an overview of the concept plan. He said the City's General Plan recommendation for interior single family neighborhoods on the east side of Fairfield Road is at 2-4 dwelling units per acre. He said the City's General Plan states that medium density projects are appropriate for consideration along arterial streets and can act as effective transitions from the busier streets to the interior streets. Since this property is located along the edge of the neighborhood with Fairfield Road to the west, Oak Hills Drive to the north, and Mutton Hollow Road to the South, this would qualify for the Planning Commission and City Council to consider as an alternative to single family residential with an increase in density with the PRUD ordinance. Mr. Matson discussed the improvements to Fairfield Road that would take place including required buffers.

Mr. Matson clarified that the property owner of this property owns approximately 60 acres up to Boynton Road. Neighbors had expressed concerns that high density properties could continue from this property up to Boynton Road. Mr. Matson said Staff feels that this R-1-8 property could be the boundary line between any other zoning designation between the R-1-8 and the R-1-10. An annexation agreement is being formulated with the property owner that would specify that to the east of the R-1-8 property, the property would be zoned R-1-10.

Mr. Matson presented an over view of a similar project in North Salt Lake City. Staff is working with the applicant on the placement of the homes in the project. Staff is recommending full masonry architecture. He also said that Staff will work with the applicant to reconfigure garages or other alternatives to resolve stacking issues in the driveways in front of the homes. He said the Engineering Department has approved the rezone and conceptual plan with some items that need to be addressed with any subsequent applications. He said Staff is recommending approval of this property from R-1-8 to R-1-6 PRUD.

Commissioner Esplin asked if there were any questions from the Commission and there were none. He asked for comments from the audience. Brian Campbell, who lives at 1103 East 375 South, said the residents were very happy with the previously approved R-1-8 32 lot subdivision. At this time, the majority of the residents' concerns are with density and the requested change from R-1-8 to R-1-6 PRUD. He felt the neighbors had not had an opportunity prior to this Planning Commission Meeting to be informed about the proposed development.

Mr. Campbell read from the City Municipal Code Zoning Ordinances 18.01.020 Public Interest, 19.08.070. Classification of land to PRUD overlay zone subsection C, 19.04.020 Purpose of zoning districts Section 2 Subsection B, and Ordinance 19.08.090 Application of PRUD to underlying zone Subsections 1 and 5, 19.08.100 Variations from development standards Subsection C, 19.08.130 Conceptual PRUD plan approval and PRUD overlay Subsections 3 and 5.

He stated the reasons he felt the proposal was in contradiction with these ordinances and the General Plan. The Commission discussed with Mr. Campbell the definitions of low and medium density.

There were no further questions from the Commission.

Rick Smith, a citizen at 597 South 925 East, asked the width of a private lane. The response was 40 feet. He cited City Code 18.24.020. Widths (street). He felt that compliance with this ordinance should be addressed in further review. Commissioner Hazen and Mr. Matson clarified that the ordinance applied to public streets and the street in question was a private lane. Mr. Smith also voiced concerns about parking and Chairman Esplin said the issue would be worked out in further review. Mr. Smith asked if the density could be restricted and Mr. Matson said that the Commission could stipulate density.

A citizen, Dan Olson, 349 South 1050 East, read from the Zoning Ordinance, and said the property was not between commercial nodes and felt the General Plan should be amended if the proposed development were to be built on the property.

The applicant, Howard Kent, 261 East 300 South, Salt Lake City, stated that he and John Gaily, owners of the property, wanted to build a desirable and professionally maintained community and he felt the R-1-6 PRUD fits this goal better than the R-1-8 PRUD zoning would. He gave an over view of the proposed development in relationship to grading and height of the buildings.

Commissioner Ron Stallworth asked the applicant if he had consulted with the neighborhood when developing the conceptual plan. Mr. Kent said he had not but was not opposed to such a meeting in the future.

Commissioner Hazen asked the applicant about grading plans and Mr. Kent explained their intent.

Commissioner Gilbert asked the applicant about cars being parked on the private street and also the lack of buffer between the homes and the street and the applicant responded that future plans would have additional off street parking.

Chairman Esplin said that a motion could include verbage to address changes that needed to be made.

Commissioner Hazen asked for an explanation of R-1-8 and R-1-6 density with and without the PRUD overlay and Mr. Matson provided the explanation.

Commissioner Hazen asked Steve Garside, Assistant City Attorney, if it was legal to rezone and allow a PRUD at the same time. Mr. Garside replied in the affirmative.

Commissioner Gilbert asked Mr. Kent to clarify why he was requesting a PRUD rather than an R-1-8 zoning. Mr. Kent explained his reasoning was to provide a better maintained community.

Another citizen presented views but did not come to the podium to state her name and address.

Commissioner Hazen asked Mr. Matson to identify zoning districts in the area.

There were no other questions or comments.

Commissioner Stallworth moved that the Planning Commission forward a positive recommendation to the City Council for approval subject to the applicant meeting all Staff recommendations and recommended that the developer meet with the neighborhood committee to discuss the development. The motion was seconded by Commissioner Tim Pales. Chairman Esplin asked that the motion be amended to address the stacking issues.

Commissioner Stallworth accepted the amendment to add that when the preliminary plan is presented the applicant must address the stacking issues with regard to parking. The motion with the amendment

seconded by Commissioner Tim Pales. The voting was 3 in favor and 2 against. The Commissioners in favor of the motion were Commissioners Stallworth, Hazen, and Pales. The Commissioners voting against the motion were Commissioners Gilbert and Pratt. The motion passed.

**(5) HIGHWAY 89 BUSINESS CENTER – CONDITIONAL USE – PUBLIC STORAGE FACILITY**

1288 North Highway 89

The applicant is Patrick McCreaken.

Chairman Esplin stated the applicant had asked that his request for conditional use for this property be officially withdrawn. However, the Planning Commission is requesting that Staff determine other alternatives for the zoning of this property.

Commissioner Stallworth moved that Staff research the possibility of rezoning this property and other such vacant areas on Highway 89 to P-B. The motion was seconded by Commissioner Pales. The voting was unanimous.

Commissioner Pales moved to close the Public Review. Commissioner Hazen seconded the motion and the voting was unanimous.

**OTHER CONSIDERATIONS:**

**(6) STEVENSON SUBDIVISION – FINAL PLAT APPROVAL**

Approximately 1700 West and 500 South (2 lots)

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

The applicant is Jerry Stevenson.

Kem Weaver, City Planner, presented Stevenson Subdivision's request for final plat approval. He gave an over view of the properties in the area. He said the annexation plat is being reviewed by Davis County and should soon be recorded. Final plat approval is necessary because the applicant, Jerry Stevenson, will be dedicating 28 feet of width along the east of the parcel for 1700 West to allow the full 66-foot right of way. The applicant is also required to extend utilities per specifications of the City Engineering Division. The parcel meets the R-S zoning requirements. Staff's recommendation is that the Planning Commission forward approval of the final plat to the City Council subject to meeting all Staff requirements.

There were no questions from the Planning Commission.

Commissioner Hazen moved that the Planning Commission forward a positive recommendation to the City Council to approve the final plat subject to meeting Staff recommendations. Commissioner Stallworth seconded the motion and the voting was unanimous.

**(7) WESTERN STATES LODGING LEGACY RETIREMENT SUBDIVISION – PRELIMINARY APPROVAL**

Approximately 1200 North Fairfield (4 Parcels)

This property is located in a B-RP (Business and Research Park) Zoning District with a conditional use approved for an assisted living facility.

The applicant is Gary Griffiths.

Mr. Weaver presented Legacy Retirement Subdivision's request for preliminary approval. Mr. Weaver stated Lots 3 and 4 are for future development and will remain vacant. Lots 1 and 2 will be under construction for the assisted living center. An access easement has been given off Fairfield Road at the

intersection of Cherry Lane. The easement is necessary for future development in the hollow towards Kays Creek. A parking easement has been given on Lot 3 to address Planning Commission parking space concerns. Staff is waiting for a revised, signed and stamped geotechnical report. Mr. Weaver said Staff recommends that the Planning Commission forward approval of the preliminary plan to the City Council subject to providing a signed and stamped geotechnical report and subject to meeting all Staff requirements.

There were no questions from the Planning Commission.

Commissioner Gilbert moved to forward approval of the preliminary plan from the Planning Commission to the City Council subject to the applicant providing a signed and stamped geotechnical report done by a project engineering consultant and meeting all other Staff requirements. The motion was seconded by Commissioner Hazen and the voting was unanimous.

**ORDINANCE AMENDMENTS/REVIEWS:**

It was moved and seconded to adjourn the meeting. The voting was unanimous.

By \_\_\_\_\_  
Julie K. Jewell, Secretary to the Planning Commission