

MINUTES OF LAYTON CITY PLANNING COMMISSION MEETING
June 24, 2008

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

ALTERNATE MEMBERS PRESENT: Blake Hazen, Ryan Stevenson

MEMBERS ABSENT: Brent Allen

OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver, Brandon Rypien, Julie Jewell, and Steve Garside.

Planning Commission Chairman, Sharon Esplin, called the meeting to order at 7:03 p.m. The Pledge of Allegiance was said and the invocation was given by Commissioner Ron Stallworth. Boy Scout Troop 725 from the West Layton LDS Stake was welcomed to the meeting.

APPROVAL OF THE MINUTES: Commissioner Gerald Gilbert moved to approve the May 27, 2008, Planning Commission Meeting minutes. The motion was seconded by Commissioner Tim Pales and the voting was unanimous.

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

PUBLIC HEARING:

PUBLIC REVIEW:

(1) ANGEL STREET TOWNHOMES PHASE I– FINAL APPROVAL

Approximately 1400 North Angel Street (35 lots).
This property is located in a R-M1 PRUD Zoning District.
The applicant is Bill Pepperone.

Upon the request of the applicant and the approval of the Commissioners, the request for Final Approval for Angel Street Townhomes was moved to Item #1 on the agenda. Kem Weaver, City Planner, said this R-M1 PRUD subdivision is located at 1400 North Angel Street. Phases 2 and 3 of this subdivision are currently under review, and final approval consideration at this Planning Commission Meeting is for Phase 1 only. Mr. Weaver gave an overview of the development stating that Phase 1 will contain units 1-9 as well as a fenced tot lot. Trophy Homes will be required to follow the recommendation of the Design Review Committee (DRC) for all three phases that are planned for this development.

Mr. Weaver mentioned the front façade changes that were proposed by the applicant and discussed in the Work Meeting. The changes requested by the applicant included removing the false balconies and the window shutters. Mr. Weaver said Staff agrees that the second story of the units needs to have window treatments and recommends that the shutters remain as part of the façade. The Staff is recommending that the Planning Commission forward approval of Phase 1 to the City Council subject to the applicant meeting all Staff requirements. There were no questions from Commission or the audience.

Chairman Esplin asked Trophy Homes representative, Bill Pepperone, 758 South 400 East, Orem, if he understand the façade recommendations that the balconies could be eliminated but the shutters must remain. Mr. Pepperone replied that he understood and would comply with the recommendations.

Chairman Gilbert asked for clarification on the number of phases. Mr. Pepperone replied that there would be just three phases and not four phases as previously stated in the presentation with all infrastructure being built with Phase 1.

There were no other questions and Chairman Esplin called for a motion on the item.

Commissioner Kristin Elinkowski moved that the Planning Commissioner forward a positive recommendation to the City Council to grant Final Approval for Phase I of the Angel Street Townhomes development at 1400 North Angel Street subject to the applicant keeping the shutters as part of the façade design, and subject to the applicant meeting all recommendations by Staff and the Design Review Committee. The motion was seconded by Commissioner Pales and the voting was unanimous.

(2) DANSAY INC. LA CAMPANA – CONDITIONAL USE – TACO STAND

869 West Hillfield Road (Utah Career College parking lot).

The property is located in a C-H (Commercial Highway) Zoning District.

The owner of the property is Utah Career College and the applicant is Olga Garcia.

Brandon Rypien, Planning Technician, presented the applicant's request to locate a mobile store at the Utah Career College site at 869 West Hillfield Road. The proposed taco stand would provide service for student body and staff. The applicant has written permission from the campus director of Utah Career College. The taco stand would be located at the front of the parking lot adjacent to the private road and 10 feet from the property line. It must be outside of the clear view area and not near any ingress or egress. The applicant must follow all mobile store requirements. In answer to Chairman Esplin's question, Mr. Rypien said the mobile store must be removed from the site each day by 10:00 p.m. The following are the conditions placed on the conditional use:

1. The structure may have a maximum outside display area of one hundred square feet located a minimum of ten feet from all property lines, not in landscaping areas and not obstructing access to the property.
2. The mobile store site shall maintain the clearview area.
3. The mobile store shall have written acceptance of the operation from the Davis County Health Department before the site is occupied.
4. The structure shall have appropriate utility connections, inspected for compliance to City codes.
5. The structure shall be secured to or placed on the ground to be stable in a seventy-five mph wind.
6. The mobile store shall be allowed to have two (2) off-site directional signs with a maximum of six (6) square feet each and a maximum of fifty (50) square feet for the entire mobile store. The signage shall not be placed in the public right-of-way or landscaping.
7. All building and fire requirements shall be met before occupancy.
8. Hours of operation shall be determined by business licensing.
9. Conditions 1-8 must be met before business can begin.
10. A tenth condition was added requiring that the applicant remove the mobile store from the site at the close of business each day.

There were no questions from the Commissioners. Chairman Esplin asked the applicant, Olga Garcia, 2817 North 50 West, if she understood the conditions. He also confirmed with Ms. Garcia, that the

portable store would be removed at the close of business each day per Health Department regulations. Ms. Garcia stated she understood the conditions and stated the mobile store would be removed from the site each day at the close of business. There were no questions from the Commissioners or the audience and Chairman Esplin called for a motion on the item.

Commissioner Stallworth moved that conditional use be granted for a mobile store site at the Utah Career College site at 869 West Hillfield Road subject to the applicant meeting Staff recommendations and the 10 conditions that are hereby adopted as requirements. Commissioner Gilbert seconded the motion and the voting was unanimous.

(3) FOREST CREEK CONSTRUCTION – REZONE R-S (RESIDENTIAL SUBURBAN) TO R-2 (SINGLE AND TWO FAMILY RESIDENTIAL)

Lots 312 and 313 Wild Horse Springs Subdivision #9 (3032 & 3020 West Gentile).

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

The applicant is Hugh Parke.

Mr. Matson presented the request from Forest Creek Construction to rezone two existing lots in Wild Horse Springs Subdivision #9 currently zoned R-S. Mr. Matson explained that the R-S zone has a 15,000 lot acreage requirement and 100 ft. frontage. However, these lots are part of the Wild Horse Springs Subdivision, which has lot averaging, and are a little narrower and about one third acre each.

Mr. Matson gave an overview of the zoning designations in the area and stated the applicant is requesting an R-2 zoning designation which is a duplex or a twin home zone as an alternative to building two single family homes. There would be a total of 4 units on two parcels. Possible design of the units was discussed. Mr. Matson said that with the lots facing Gentile Street, which is an arterial street, varying density can be considered. He said there is a note on the plat stating that the lots must allow for a hammerhead turnaround or a circular drive so that vehicular traffic coming out of the lots will not back on to Gentile.

The Engineering Division report states that if each building is under one ownership per building, one set of laterals will be all that is required. However, if a building is condominiumized, a second set of laterals would have to be installed. However, with the new paving on Gentile, it would be some time before new laterals could be installed. Staff is recommending that the Planning Commission forward a positive recommendation to the City Council to approve the rezone request. There were no questions from the Commission or the audience. The applicant also had no questions.

Commissioner Pales moved to forward a positive recommendation to the City Council to approve the rezone request for Wild Horse Springs #9 Lots 312 and 313 from R-S to R-2 based on the requests consistency with the General Plan and subject to meeting all Staff requirements. Commissioner Elinkowski seconded the motion which was approved unanimously.

Commissioner Ryan Stevenson asked that additional off site notice signs be posted prior to the City Council review of this item due to the closure of Gentile which prevents property owners in the area from passing this particular location.

(3) GREYHAWK PLAZA MULTI-FAMILY – REZONE R-M1 (LOW/MEDIUM DENSITY RESIDENTIAL) TO R-M1 PRUD (LOW/MEDIUM DENSITY PLANNED RESIDENTIAL UNIT DEVELOPMENT)

3050 North Church Street (96 units).

This property is located in a RM-1 (Low/Medium Density Residential) Zoning District.

The applicants are Ken Crockett and Doug Shipley.

Kem Weaver, City Planner, stated that this property had been approved for an R-M1 zone within the last year. However, the applicant would like to increase the density on the property from 66 to 96 units which requires a 45 percent bonus density and the PRUD overlay. Mr. Weaver stated that the developer will need to extend Church Street along the frontage of the multi-family development.

Mr. Weaver said the concept plan contains 96 units arranged in 12-plexes proposed for three stories in height. The maximum height is 35 feet to the mid-point of the roof. The proposed open space is 44.6 percent, however, it is primarily along the street frontage and the periphery of the site. He said Staff's opinion is that the playground is too close to a future arterial road. Staff will work with the developer to more centrally locate the playground.

The proposed development creates a buffer from commercial to single family residential to the West, Mr. Weaver said the topography lends to multi family rather than single family development. Mr. Weaver suggested that as a part of the recommendation from the Planning Commission to the City Council that approval be subject to the developer centrally locating the playground away from the future arterial street.

Commissioner Esplin asked the applicant, Kent Crockett, if he understood the recommendation to relocate the playground. The applicant had no questions and said he understood the recommendation. Commissioner Esplin called for a motion on the item.

Commissioner Stevenson moved to forward a positive recommendation to the City Council to approve the rezone of the Greyhawk Plaza property from R-M1 to R-M1 PRUD based on the General Plan recommendation as an alternative land use along an arterial street and to approve the conceptual plan based on the playground being centrally located and moved away from the future arterial street. The motion was seconded by Commissioner Stallworth, and the voting was unanimous.

(4) EVERGREEN FARMS -- PRELIMINARY APPROVAL

Approximately 750 South 1700 West (166 lots).

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

The applicant is the Adams Company/Terraventure.

Mr. Weaver presented the request for Preliminary Approval for the Evergreen Farms Subdivision which is a single family subdivision on 72.71 acres located in an R-S zoning designation. Mr. Weaver gave an overview of the zoning designations in the area. He said the proposal is to develop 166 single-family lots with a density of 2.28 units per acre. The lots meet the R-S requirements with regard to frontage and acreage based on lot averaging. There will be two phases, one on either side of the 386 foot wide Rocky Mountain power corridor. The developer may in the future, with an agreement from Rocky Mountain Power, put trails in the corridor. The applicant is required to build half of the 750 South 84 foot arterial right of way where it runs along the development. The developer is required to provide an easement for a landscape buffer on 750 South wrapping the corners of 2200 West and 1700 West. Mr. Weaver described the typical layout of the traffic lanes for an arterial street such as 750 South.

Mr. Weaver said Staff is recommending the Planning Commission approve the preliminary plan subject to the applicant meeting all staff requirements. There were no questions from the Commission, audience or applicant. Chairman Esplin called for a motion on the item.

Commissioner Pales moved to grant Preliminary Approval for the subdivision based on the applicant meeting all Staff requirements. Commissioner Stevenson seconded the motion and the voting was unanimous.

Commissioner Elinkowski moved to close public review and adjourn the meeting. Commissioner Gilbert seconded the motion. The voting was unanimous and the meeting was adjourned at 7:39 p.m.

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