

Minutes of
LAYTON CITY PLANNING COMMISSION WORK MEETING
October 14, 2008

MEMBERS PRESENT: Commissioners Sharon Esplin, Tim Pales, Gerald Gilbert, Kristin Elinkowski, Dave Pratt, Blake Hazen

ALTERNATE MEMBERS PRESENT: Brent Allen

MEMBERS ABSENT: Ron Stallworth

ALTERNATE MEMBER ABSENT: Ryan Stevenson

OTHERS PRESENT: Staff Members: Peter Matson, Kem Weaver, Julie Jewell, and Clint Drake.

PUBLIC REVIEW:

(1) LAYTON CITY EAST SIDE DRIVE REZONE – CP-2 to P-B.

Approximately 1100 North to 1375 North Highway 89 West of East Side Drive and East of Highway 89.

Approximately 17.21 acres.

This property is located in a CP-2 (Planned Community Commercial Zone).

The applicant is Layton City.

Peter Matson, City Planner, presented the City's request to rezone approximately 17.21 acres on the east side of Highway reminding the Planning Commission that Staff was pursuing the zone change at the Commission's request. Mr. Matson identified the property the City purchased from the State for a fire station and the privately owned property previously proposed for a conditional use for storage units. He said the Utah Department of Transportation (UDOT) owns the majority of the property. Mr. Matson discussed the UDOT interchange at Gordon Avenue and Highway 89. Mr. Matson clarified that under the current CP-2 zoning designation, storage units can be built under a conditional use. In the P-B zone, storage units would not be an option. Mr. Matson reviewed options available under the P-B (Professional Office) zoning designation and mentioned a financial institution as an example.

Commissioner Gerald Gilbert referenced an Eagle Project involving the property and said the scout is trying to get a conditional use for a "Welcome to Snow Canyon" sign. He said a proposal has been made to the Parks Department for a park in an area that will remain after the interchange is built. He presented a photo album of work that had been done at the proposed park area.

Mr. Matson said the proposed rezone is a protection for the neighborhood based on previous reviews and desires of the neighborhood.

(2) OAK FOREST #7/DIMOND OAKS #2 SUBDIVISION PLAT AMENDMENT

2137 East Oak Forest Drive (Oak Forest #7 Lot 304 and Dimond Oaks #2 Lot 22)

Creating Oak Forest #7 Lot 328.

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

The applicants are Curtis Hall and Jeramie Humphries.

City Planner, Kem Weaver, explained that two subdivisions (Lot 304 in Oak Forest #7 and Lot 22 in Dimond Oaks #2) are involved in the proposed plat amendment. The property owner of Oak Forest Lot 304 is proposing to create a buildable lot on Oak Forest Drive by buying 21 feet of property width from the owner of Dimond

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Oaks Lot 22 in order to have the necessary frontage and acreage for a single-family building lot. The new lot would remain in the Oak Forest #7 Subdivision. Mr. Weaver said the Fire Department is requiring the developer to install a fire hydrant. The applicant has been informed and understands that he would not be able to cut into Oak Forest Drive to install utilities until October 2009 since the City does not allow road cuts for three years on a road that has been overlaid. Oak Forest Drive was overlaid in October 2006.

In answer to questions from Commissioner Blake Hazen, Mr. Weaver said the City would not allow a developer to tap into a lateral on private property. Mr. Weaver also explained water rights or exactions are required any time there is new building.

(3) CAMBRIDGE CIRCLE SUBDIVISION – 2ND PLAT AMENDMENT – FINAL APPROVAL

This property is located at 1086 East 2950 North.

(2 Lots and 2.11 acres)

This property is located in an M-1 (Light Manufacturing/Industrial) Zoning District.

The applicant is Matt Gertge.

Kem Weaver, City Planner, said the Planning Commission had approved the Cambridge Condominium plat. In order for the condo plat to be finalized, the Cambridge Circle Lot 1 plat must be amended to separate the warehouse condominiums from the storage units because the uses are different. Fire walls between the condominiums must meet Building Code requirements.

ORDINANCE AMENDMENTS/REVIEWS:

(4) LYNN T. NOYES – TEXT AMENDMENT -- MUNICIPAL CODE 18.50.060 STREET AND DRIVEWAY IMPROVEMENTS

The applicant is Lynn T. Noyes represented by Stephen Fackrell.

Mr. Matson presented the request for a text amendment to Title 18.50.060, the Land development Code, which applies to private drives and turnarounds. Lynn T. Noyes, 1468 North Church Street, submitted the proposal to allow a flag lot with a private drive to have a hammerhead turnaround. Given the length of the private drive, the Fire Marshall approved the turnaround, but the development codes were not consistent with Fire codes, therefore, Fire Department requirements are proposed to be applied to the text of Title 18.50.060.

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

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ALTERNATE MEMBERS PRESENT: Brent Allen

MEMBERS ABSENT: Ron Stallworth

ALTERNATE MEMBER ABSENT: Ryan Stevenson

OTHERS PRESENT: Staff Members: Peter Matson, Kem Weaver, Julie Jewell, and Clint Drake.

Planning Commission Chair, Sharon Esplin called the meeting to order at 7: 01 p.m. The Pledge of Allegiance was recited and the invocation was given by Commissioner Brent Allen.

Chairman Esplin called for approval of the September 23, 2008 Planning Commission minutes. Commissioner Blake Hazen moved to approve the September 23, 2008 Planning Commission minutes. The motion was seconded by Commissioner Gerald Gilbert and the voting was unanimous.

Commissioner Tim Pales moved to open Public Review. Commissioner Brent Allen seconded the motion and the voting was unanimous.

PUBLIC REVIEW:

(1) LAYTON CITY EAST SIDE DRIVE REZONE – CP-2 to P-B.

Approximately 1100 North to 1375 North Highway 89 West of East Side Drive and East of Highway 89. Approximately 17.21 acres.

This property is located in a CP-2 (Planned Community Commercial Zone). The applicant is Layton City.

Long Range Planner, Peter Matson, acknowledged Julie Jewell, Planning Commission secretary, for providing timely minutes of Planning Commission meetings.

Mr. Matson presented Layton City's proposal to rezone approximately 17 acres on the east side of Highway 89 between approximately 1100 and 1400 North. He gave an overview of the area including the new extension of East Side Drive. Mr. Matson cited a previous conditional use proposal in 2008 for a storage unit project in this area. He said the applicant had a contract with the existing owner of the property to purchase the property if the property was approved for a Conditional Use in the CP-2 zone. The Utah Department of Transportation's (UDOT) Right of Way Division approached the Planning Commission and expressed concerns about notification regarding the proposal. State law directs that the State must be notified of any development proposed within the future right of way of a major corridor and has 30 days to respond back and express their desires. The Planning Commission determined to complete the notification process and asked the applicant to return to the Planning Commission when the process was complete. Subsequently, the applicant withdrew his proposal. UDOT has either closed on or is in the process of purchasing this property.

Mr. Matson said the majority of the 17.21 acres will be owned by UDOT and be used for the Gordon Avenue interchange. He outlined the area the City purchased for a future fire station.

When the Conditional Use request for the storage units was reviewed by the Planning Commission, the Commission requested that Staff explore the possibility of changing the zoning of the area to the P-B zone which allows uses, in terms of intensity, the Commission felt inappropriate for the neighborhood. The P-B zone allows low intensity office uses. Mr. Matson said P-B zone uses throughout the city are usually associated with single-

story professional buildings with a height limit of 35 feet, which is similar to most of the residential zones. When UDOT completes the interchange, there will be a small area remaining which neighbors recently cleaned up as part of an Eagle Scout project. The neighbors submitted photographs and requested the City consider purchasing the area for a small neighborhood park. Mr. Matson said the City Parks and Recreation Director will be analyzing the property to determine the viability of a park. He said Staff recommends the Planning Commission forward a positive recommendation to the City Council for approval of the rezone to P-B.

In answer to a citizen question, Chairman Esplin confirmed that any City park is open to the public. Mr. Matson addressed citizen questions about structure height in a P-B zone and uses in the P-B zone versus the CP-2 zoning designation. Citizens expressed concerns that no parks were available for children on the east side of Highway 89. In answer to Commission questions about the procedure for developing a park, Mr. Matson said the actual land purchase would be considered by the City Council, but not the Planning Commission. The Parks and Recreation Department would be responsible for notifying residents of any proposals for development of a park on the subject property. Commissioner Gilbert recommended the neighbors appoint a representative to act as a liaison with the City Parks and Recreation Department.

Matthew Thompson, 3241 East 1300 North, asked about approval for a sign to be placed at the proposed park. He was counseled to discuss sign regulations with the Planning Department before purchasing a sign.

Mr. Matson discussed the time line for the Gordon Avenue Interchange.

There were no additional questions and Chairman Esplin called for a motion on the item. Commissioner Gilbert moved to forward a positive recommendation from the Planning Commission to the City Council to approve the rezone. Commissioner Pales seconded the motion and the voting was unanimous.

(2) OAK FOREST #7/DIMOND OAKS #2 SUBDIVISION PLAT AMENDMENT

2137 East Oak Forest Drive (Oak Forest #7 Lot 304 and Dimond Oaks #2 Lot 22)

Creating Oak Forest Phase 7 Lot 328

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

The applicants are Curtis Hall and Jeramie Humphries.

City Planner, Kem Weaver, explained that two subdivisions (Lot 304 in Oak Forest #7 and Lot 22 in Dimond Oaks #2) were involved in the proposed plat amendment. The property owner of Oak Forest Lot 304 is proposing to create a buildable lot on Oak Forest Drive by buying 21 feet of property width from the owner of Dimond Oaks #2 Lot 22 in order to have the necessary frontage and acreage for a single-family building lot. The new lot would remain in the Oak Forest #7 Subdivision. Mr. Weaver said the Fire Department is requiring the developer to install a fire hydrant. The applicant has been informed and understands that he would not be able to cut into Oak Forest Drive to install utilities until October 2009 since the City does not allow road cuts for three years on a road that has been overlaid. Oak Forest Drive was overlaid in October 2006.

In accordance with State law, notice of the proposed subdivision amendment has been sent to all property owners in the appropriate phases of the subdivisions. This notice precludes each owner being required to sign the final mylar plat of the amendment. In answer to Commissioner Blake Hazen's question about beginning construction before the road cut moratorium has ended, Mr. Weaver said the inspectors would not allow construction without utilities being connected in the road. Leland Martineau, 1513 North Hillfield Road, engineer of the Dimond Oaks Subdivision, said it was possible the owners would only have to install water lines as the sewer lines are within the lots.

There were no further comments and Chairman Esplin called for a motion on the item.

Commissioner Brent Allen moved to forward a positive recommendation to the City Council to approve the subdivision amendment. Commissioner Kristin Elinkowski seconded the motion and the voting was unanimous.

(3) CAMBRIDGE CIRCLE SUBDIVISION – 2ND PLAT AMENDMENT – FINAL APPROVAL

This property is located at 1086 East 2950 North.

(2 Lots and 2.11 acres).

This property is located in an M-1 (Light Manufacturing/Industrial) Zoning District.

The applicant is Matt Gertge.

Mr. Weaver presented the Cambridge Circle Subdivision request for final approval of a plat amendment for Lot 1. The applicant has requested to condominiumize an office warehouse on the property which requires a plat amendment to separate the warehouse from the storage facility since the uses are different.

Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation to the City Council based on the applicant meeting all Staff requirements.

Chairman Esplin called for a motion on the item. Commissioner Elinkowski moved to forward a positive recommendation from the Planning Commission to the City Council to approve the request for final approval for the plat amendment. Commissioner Pales seconded the motion and the voting was unanimous.

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

ORDINANCE AMENDMENTS/REVIEWS:

(4) LYNN T. NOYES – TEXT AMENDMENT -- MUNICIPAL CODE 18.50.060 STREET AND DRIVEWAY IMPROVEMENTS

The applicant is Lynn T. Noyes represented by Stephen Fackrell.

Mr. Matson presented the request for a text amendment to Title 18.50.060, the Land Development Code which applies to private drives and turnarounds. Lynn T. Noyes, 1468 North Church Street, submitted the proposal to allow a flag lot with a private drive to have a hammerhead turnaround. Given the length of the private drive, the Fire Marshall approved the turnaround, but the development codes were not consistent with Fire codes. The Fire Marshall initially proposed to allow alternative turnarounds on public streets, but the Staff consensus is to limit alternative turnarounds to private streets/drives only. In addition, a fire sprinkler system would be required for homes on these turnarounds. Examples of turnarounds are in Appendix A-7 of the city's zoning ordinance. City ordinances and Fire codes will be codified. Future requests for turnarounds would have to follow these guidelines.

There were no questions from the Planning Commission or the audience. Chairman Esplin called for a motion on the item. Commissioner Allen moved to forward a positive recommendation from the Planning Commission to the City Council to approve the text amendment as presented. Commissioner Elinkowski seconded the motion and the voting was unanimous. A copy of the proposed amendment is included as an attachment to these minutes.

Chairman Esplin recognized a Kaysville Boy Scout Troop present at the meeting.

Commissioner Hazen moved to adjourn the meeting at 7:45 p.m. Commissioner Pales seconded the motion and the voting was unanimous.

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