

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

TUESDAY, JANUARY 26, 2010

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

ALTERNATE MEMBERS PRESENT: Brian Bodily

MEMBERS ABSENT:

ALTERNATE MEMBERS ABSENT:

OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver, Amanda Jorgensen, Clint Drake, Julie Arguello, Julie Jewell and Councilman Barry Flitton

The Commissioner and Staff discussed the proposed agenda for the Thursday, January 28th Strategic Planning Meeting with the City Council.

PUBLIC HEARING:

- (1) **HARMONY PLACE PRUD – CONCEPTUAL REVIEW & REZONE WITH A DEVELOPMENT AGREEMENT – R-S** (Residential Suburban) to **R-S PRUD** (Residential Suburban Planned Residential Unit Development). This property is located at approximately 2300 West Gentile Street. The applicant, Chris Martineau, is proposing 117 lots on 36.947 acres.

Kem Weaver reviewed the history of the original annexation and rezone of the property at approximately 2300 West Gentile Street as follows:

- Annexation and rezone of 260.75 acres approved (June 1, 2006). 171.07 acres zoned to A (Agriculture) and 89.68 acres zoned to R-S (Residential Suburban).
- Rezoning of 42.40 acres to R-S PRUD approved for the patio home (Villas) portion divided among three property owners.
- Preliminary approval received for 47.28 acres remained zoned R-S, slated for 105 lot- averaged single-family detached homes (Sandy Slope Farms) approved (March 13, 2007) with a subsequent name change to Sunset Fields and then changed again to Harmony Place.
- Davis School District purchased 12.12 acres of the R-S zoned property for a future elementary school.
- Amended preliminary approval received for 78 lots (reduced from 105) with a density of 2.2 units per acre (September 23, 2008).

During 2009, the developer met with the Layton City Staff to discuss a development that would better meet the needs of the changing housing market such as the R-S zone with a PRUD overlay. It was proposed that the park be relocated to the north side of the school property to be integrated as part of the school site.

Mr. Weaver said the proposed concept plans meets the base open space requirement of 30% of the development by having 4.07 acres of park land adjacent to the school, 4.76 acres of open space located in parcels adjacent to streets throughout the development, and 5.04 acres of limited common open space along street frontages. The combined open space is 13.86 acres with 13.74 acres required to meet the 30% open space requirement.

Mr. Weaver reviewed landscaping requirements and described the layout of the proposed park. He said the proposed PRUD development will be required to achieve a 27% bonus density to develop the 117 proposed lots. The base density is 92 lots, and for the additional 25 lots, the developer will need to incorporate design options including 75% masonry homes, walking paths and bike trails, perimeter fencing, and recreational amenities not including the city park.

Commissioner Hazen asked about the regional detention pond which Mr. Weaver explained as being counted as open space for the Villas at Harmony Place PRUD. Commissioner Hazen also asked about the turnaround for the Fire Department and possible easements were outlined noting that the developer would be required to bond for the removal of the temporary turnaround when the street is connected through to the Villas at Harmony Place PRUD subdivision. Mr. Weaver also stated the new street cross section ordinance will be incorporated in this development and explained some of the street configurations.

Commissioner Gilbert asked if the public received noticed regarding the change in number of lots and Mr. Weaver replied in the affirmative. Chairman Esplin pointed out that even with the loss of 12.12 acres to the Davis School District, the actual number of lots only increased from 105 lots at the last approval to the 117 lots proposed with this application.

Community & Economic Development Director, Bill Wright, explained the benefits of the clustering approach to development, which helps to build a neighborhood. He pointed out that the combination of the park and school with additional open space will just put homes on a little bit smaller lots. He also noted that a church space was incorporated on 2200 West in the Villas of Harmony Place PRUD to the south of the proposed Harmony Place PRUD.

There was a discussion of water line sizes, overhead power lines, cutting into new asphalt on Gentile Street and design guidelines. Mr. Weaver said Rocky Mountain Power would be giving the development an easement for the access street to Gentile Street under the power lines. Mr. Matson said that the preliminary submittal will show sketches of the proposed homes in the development. Mr. Weaver said the Design Review Committee (DRC) would most likely require trim features such as brick or rock in addition to stucco.

Peter Matson overviewed the proposed development agreement stating that due to the costs associated with park improvements and facilities, the applicant and City Manager would need to be consulted before the final draft of the agreement is prepared. He asked the Planning Commission to give the Planning Division an opportunity to further research and complete the development agreement prior to its review by the City Council. Mr. Matson said staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the rezone and Harmony Place PRUD concept plan with the development agreement to be completed before presentation to the City Council.

Commissioner Hazen asked the developer, Jeff Taylor, if he was comfortable with the Planning Division completing the development agreement. Mr. Taylor replied in the affirmative.

OTHER:

City Planner, Amanda Jorgensen, presented a packet regarding mobile stores in Layton and asked the Planning Commission to review the materials in preparation for a discussion of the mobile store ordinance at a future Planning Commission meeting.

Ms. Jorgensen also presented information regarding temporary signage. After discussion about various types of signage, the Planning Commission asked that Ms. Jorgensen prepare a proposal recommending changes to the sign ordinance for the Planning Commission to review and make a recommendation to the Planning Commission.

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

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Planning Commission Chair, Sharon Esplin, called the meeting to order at 7:06 p.m.

The Pledge of Allegiance was recited and an invocation was given by Commissioner Kristin Elinkowski.

Chairman Esplin called for a motion to approve the January 12, 2010 Planning Commission minutes. Commissioner Blake Hazen moved to accept the minutes as written. Commissioner Gerald Gilbert seconded the motion and the voting was unanimous.

Chairman Esplin called for a motion to open the Public Hearing. Commissioner Gilbert moved to open the Public Hearing. Commissioner Pales seconded the motion and the voting was unanimous.

PUBLIC HEARING:

- (1) HARMONY PLACE PRUD – CONCEPTUAL REVIEW & REZONE WITH A DEVELOPMENT AGREEMENT – R-S (Residential Suburban) to R-S PRUD (Residential Suburban Planned Residential Unit Development).** This property is located at approximately 2300 West Gentile Street. The applicant, Chris Martineau, is proposing 117 lots on 36.947 acres.

City Planner, Kem Weaver, presented the request for rezone and conceptual approval with a development agreement for the Harmony Place PRUD subdivision. Mr. Weaver presented an overview of the area stating that the main entrance to the development would be from Gentile Street at approximately 2300 West. He said the Villas at Harmony Place PRUD is located to the south and will have a connection to the Harmony Place PRUD.

Kem Weaver reviewed the history of the original annexation and rezone of the property at approximately 2300 West Gentile Street as follows:

- Annexation and rezone of 260.75 acres approved (June 1, 2006). 171.07 acres zoned to A (Agriculture) and 89.68 acres zoned to R-S (Residential Suburban).

- Rezoning of 42.40 acres to R-S PRUD approved for patio home portion (Villas) divided among three property owners.
- Preliminary approval received for 47.28 acres remained zoned R-S, slated for 105 lot-averaged single-family detached homes (Sandy Slope Farms) approved (March 13, 2007) with a subsequent name change to Sunset Fields and changed again to Harmony Place.
- Davis School District purchased 12.12 acres of the R-S property for a future elementary school.
- Amended preliminary approval received for 78 lots (reduced from 105) with a density of 2.2 units per acre (September 23, 2008).

During 2009, the developer met with Layton City Planning Staff to discuss a development that would better meet the needs of the changing housing market such as the R-S zone with a PRUD overlay. No utilities had been placed in the Harmony Place subdivision and the plat has not been recorded. It was proposed that the park be relocated to the north side of the school property to be integrated as part of the school site. The school property would be maintained by the Davis School District and the park would be maintained by the City.

Mr. Weaver said the proposed concept plan meets the base open space requirement of 30% of the development by having 4.07 acres of park land adjacent to the school, 4.76 acres of open space located in the parcels adjacent to streets throughout the development, and 5.04 acres of limited common open space along street frontages. The combined open space is 13.86 acres with 13.74 acres required to meet the 30% open space requirement.

Mr. Weaver reviewed landscaping requirements and described the layout of the proposed park. He said the proposed PRUD development will be required to achieve a 27% bonus density to develop the 117 proposed lots. The base density is 92 lots and for the additional 25 lots, the developer will need to incorporate design options including 75% masonry homes, walking paths and bike trails, perimeter fencing, and recreational amenities not including the city park.

Mr. Weaver presented examples of the proposed architectural design of the homes proposed by Perry Homes, which will compliment the design of the homes in the Villas at Harmony Place PRUD.

Mr. Weaver said the development agreement will address the dedication of the park area to the City with possible required amenities such as a bowery and a play structure. Mr. Weaver said Staff is recommending that the Planning Commission forward a recommendation to the City Council to approve the rezone and request for conceptual approval for the Harmony Place PRUD. He asked that the Planning Commission allow the development agreement to be a work in progress with input from the Planning Division, City Parks Department and the developer with the development agreement to be finalized before presentation to the City Council.

Commissioner Dave Weaver asked who would be responsible for maintaining the open space throughout the development. City Planner, Kem Weaver, responded that the Home Owner's Association (HOA) would be responsible for the open space pursuant to the PRUD's covenants that would reflect Design Review Committee (DRC) guidelines.

There were no further questions from the Commission and Chairman Esplin asked for questions and comments from the audience.

Bill Day, 249 East Ridge Road, who owns 20 acre across the street from the development, expressed concerns about proposed lot sizes and spoke about a past committee's proposal to the City Council regarding R-S zoning and lot sizes in West Layton.

Mr. Weaver explained the difference between an R-S zoned property and an R-S PRUD including setbacks in the R-S PRUD zoning designation. Mr. Weaver identified Roberts Farms as an example of a lot averaged R-S zone and Kayscreek Estates as an R-S PRUD which would be similar to the PRUD proposed by the developer. He said the tradeoff for having the PRUD overlay and bonus density is that it becomes a better designed product due to DRC requirements.

Jeff Taylor, representing Perry Homes, said the company is in negotiations to purchase the Harmony Place property. He said with the shift in the housing market, large lots are not viable now or in the foreseeable future. He remarked that with this development only having 7 more lots than the previously approved plat, the zoning works for all parties involved. He felt the school and park would benefit the community and not just the subdivision. He also explained how homes would fit on the lots, some with three-car garages.

L. J. Flint, who lives across Gentile Street from the proposed subdivision, expressed concerns that he had not seen the public notice sign for the Villas at Harmony Place PRUD which was placed on 2200 West. He talked about the committee involved with the West Layton Master Plan and expressed concerns about the lot sizes. He felt the vinyl fence on the perimeter of the development would be at risk when weeds are burned in the irrigation ditches. He felt the developer should wait to build until the market would support larger lot sizes.

Commissioner Hazen asked Assistant City Attorney, Clint Drake, if there was anything about the proposed subdivision that was not in compliance with City ordinance. Mr. Drake said that everything had been done legally.

Ryan Day, 2620 West Gentile Street, expressed concerns regarding lot size and upkeep of a development by an HOA.

Mike Kolendrianos, 2601 West Gentile Street, reviewed the rezone history and the West Layton Master Plan. He asked the location of the soccer fields and if they would be purchased by the City. Mr. Matson responded that the soccer fields would be dedicated to the City. He also explained that the most recent master plan for West Layton was adopted in 2001. He answered Mr. Kolendrianos' question about the catch basin and said it would be a park. Mr. Kolendrianos expressed concerns about prescriptive water right easements and said he would like to have his property in the area rezoned to a commercial zone to serve the needs of residents in the area. Mr. Kolendrianos stated the development would put his onion farming out of business because he wouldn't be comfortable spraying pesticides next to homes with children. He said he felt his concerns were not being heard. Commissioner Weaver assured Mr. Kolendrianos that the Planning Commission would consider his concerns.

In answer to Commissioner Elinkowski's question about the Perry Homes Weaver Meadows development, Mr. Taylor from Perry Development stated that the Weaver Meadows Subdivision is zoned R-1-8 with a density of 3.5 units per acre which is a higher density than the proposed development. He said there is a ditch right next to the property and onions are farmed adjacent to the property. The average lot size in Weaver Meadows is 8100 square feet, but there is no open space in the development. The proposed Harmony Place PRUD development is 3.17 units to the acre not including the school property, which creates even more of an open space feel.

Elli Cox, 2521 West Gentile Street, expressed a concern about continual care for the long term of homes built on smaller lots.

Tom Day, 2049 Ridge Road, expressed a concern about the PRUD overlay and felt the desires of the former master planning committee should be taken into consideration.

Commissioner Gilbert reminded the audience that the property owners have rights and that the Master Plan is on-going and changes will occur. He asked Mr. Matson to review the former committee's recommendations and the process of developing the master plan.

Mr. Matson said that the former committee wanted to retain the agriculture feel of West Layton with R-S being the zone of choice when this West Layton Master Plan was in place from 1993 to 2001. One of the recommendations of the goal and policy statement was the possibility of lot averaging the R-S zoning designation without going below the guidelines of the R-1-10 zoning designation. Another alternative considered in the West Layton Plan was the use of the PRUD overly on a single family residential zone such as the R-S. The goal and policy statement indicates the single family lots should typically not exceed 3 units to the area. Mr. Matson said when the Planning Commission considers exceptions to that density it is with the intent to develop a high-quality designed property. He mentioned Kayscreek Estates as an example. In a PRUD, urban design controls are administered through the DRC and each home receives a design guide booklet. The trade off is a guaranteed maintenance of open space and street trees along the streets of the project. Mr. Matson said the proposed Harmony Place PRUD is a similar situation with the exception of the school property. The density of Harmony Place PRUD is 3.17 units per acre and an exception to the 3units per acre should be with an eye on creating a project that is of quality for the neighborhood and community.

Commissioner Elinkowski confirmed with Mr. Matson that the R-S zone does not require a DRC recommendation and in the case of the R-S PRUD, the DRC can control the design. Mr. Matson replied in the affirmative and said the Planning Commission can adjust and forward its recommendation to the City Council. Mr. Matson said Staff feels the school and park are positive features and has asked the Davis School District to consider locating schools within neighborhoods rather than on busy streets. He felt a school and a park in the neighborhood defines a central neighborhood focus with the joint use of the ball fields, with the school being a more efficient way to utilize the space.

Commissioner Elinkowski said she had to agree with the neighbors that the lots sizes were small and asked if a positive recommendation could be forwarded to the City Council but with a density of 3.0 units per acre as in the original Master Plan. Mr. Matson said that 3.0 was the original West Layton Master Plan guideline with Kayscreek Estates PRUD developing at 2.8 units per acre and Whispering Pines at 3.2 units per acre. He said a reduction in density to 3.0 units per acre would yield 111 lots versus 117 lots.

Commissioner Gilbert asked if citizen input could be allowed when determining design options. Mr. Matson said Staff would not have a problem with citizen input in the design process and cited the Clear Water Cove PRUD as an instance where citizens served on the design process committee.

Mr. Kolendrianos spoke about the future path of the Legacy Parkway.

There were no further questions from the Commission or audience. Chairman Esplin called for a vote on the item.

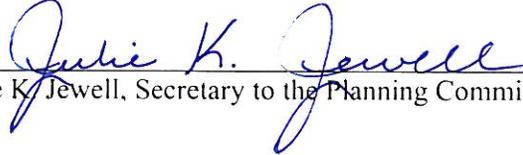
Commissioner Elinkowski moved that the Planning Commission forward a positive recommendation to the City Council to approve the rezone and conceptual plan for Harmony Place PRUD with a change in density to 3.0 units per acre to be consistent with the General Plan for the area, with the understanding that the associated development agreement will be completed before review by the City Council. Commissioner Weaver seconded the motion.

Commissioner Gilbert asked if the developer would be interested in moving forward with the proposed subdivision at 3.0 units per acre.

Commissioners Pales, Weaver and Elinkowski voted in favor of the motion and Commissioners Pratt, Gilbert and Hazen were opposed. With the vote being a tie, Chairman Esplin voted in order to break the tie. Chairman Esplin voted in favor of the motion and the motion passed by a margin of 4 in favor to 3 opposed.

Chairman Esplin called for a motion to close the Public Hearing. Commissioner Gilbert moved to close the Public Hearing. Commissioner Hazen seconded the motion and the voting was unanimous.

Chairman Esplin called for a motion to adjourn the meeting. Commissioner Hazen moved to adjourn the meeting. Commissioner Pales seconded the motion. The voting was unanimous and the meeting adjourned at 8:41 p.m.

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