

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

TUESDAY, JULY 12, 2011

MEMBERS PRESENT: Brian Bodily, Gerald Gilbert, Sharon Esplin, Blake Hazen, Dave Weaver

ALTERNATE MEMBERS PRESENT: Dawn Fitzpatrick

MEMBERS ABSENT: Kristen Elinkowski, Tim Pales

ALTERNATE MEMBERS ABSENT: Jeremy Davis

OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver, Steve Garside, Julie Jewell, and Councilmember Barry Flitton

PUBLIC HEARING:

1. CRE PROPERTIES – GENERAL PLAN AMENDMENT AND REZONE REQUEST – C-H TO R-M2 PRUD WITH A CONCEPTUAL PLAN FOR VILLAS AT MAIN

This 5.67 acre property is located at approximately 1451 North Main Street. The applicant is CRE Properties represented by Bryce Thurgood.

Planner II, Kem Weaver, presented a history of the former Stimson Market property proposed for a General Plan Amendment and rezone, stating that the site had been vacant since 2005 and had become a constant enforcement issue. He said a positive comment had been received from a resident who was excited to see development on the site. Commissioner Fitzpatrick asked about the piles of dirt on the site, which Community and Economic Development Director, Bill Wright, said were probably part of a Utah Department of Transportation (UDOT) staging site for Main Street repair.

Mr. Weaver explained that the R-M2 PRUD zone, which is being proposed, allows for a base density of 16 units per acre, which would allow for 91 units on this site. The applicant is proposing 120 units to be contained in eight 12-plex buildings and one 24-plex building. The project must achieve a 32 percent density bonus from the Design Review Committee (DRC) to achieve the additional 29 units. He said the applicant proposes a clubhouse/office with a pool, a play structure area, seating area, and a large open space. The applicant is planning for 75 percent of the buildings to be masonry with 50 percent covered parking. Staff will ask that the covered parking be hidden from Main Street for better aesthetics. Staff is also asking that the some of the buildings (as opposed to parking) be placed closer to Main Street to provide, in addition to landscaping, a better view corridor along Main Street.

Commissioner Fitzpatrick asked about landscaping around the perimeter of the property. Mr. Weaver responded that at a 20-foot peripheral buffer would be required.

There was a discussion regarding fencing between properties, as well as shared access with a neighboring commercial property. Laytona Drive will be a dead end when the project is development. There was also a discussion regarding the three detention basins on the site.

Assistant City Attorney, Steve Garside, said the reasoning for a General Plan Amendment must be based on a mistake that has to be corrected or on significant changes occurring that cause the current plan to no longer work on the property. He also clarified that two motions should be made – one for the General Plan Amendment and one for the rezone request.

2. DARREN CHILD – GENERAL PLAN AMENDMENT AND REZONE REQUEST – CP-2 (Planned Community Commercial) to R-H (High Density Residential)

The applicant is proposing a General Plan amendment to allow for parcels on 6.21 acres at Hill Field Road and north of Antelope Drive to be rezoned from CP-2 (Planned Community Commercial) to R-H (High Density).

Mr. Weaver presented an overview of businesses in the area of the proposed General Plan Amendment and rezone request. He said the property has always been vacant and has not developed as a commercial site due to limited frontage. He said Staff feels the proposed residential development would provide a buffer between the high traffic, Hill Field Road, on the east and the single family residential property on the west. He said it is Staff's opinion that the residential development would benefit the surrounding commercial businesses.

There was a discussion about entering and exiting the property and possible traffic issues, as well as the grade of the approach off Antelope Drive. There was also a discussion of the market for multi-family housing. Mr. Wright, City Planner, Peter Matson, and a developer, Gardner Crane, explained studies done on the multi-family housing market. Mr. Wright also explained how impact fees are charged to pay for the impact of new residential impact on the public safety departments.

In answer to Commissioner Fitzpatrick's question about shared parking as related to the future commercial pads, Mr. Weaver said the shared parking would have to be built with whichever development occurs first.

Mr. Wright reminded the Commission that the items before them were the General Plan Amendment and the rezone request. He said he believed the requests were rationally based and would advance the goals of the City as well as being a good transition between single family development and a high traffic street.

3. BARLOW REZONE – REZONE REQUEST WITH A DEVELOPMENT AGREEMENT – A (Agriculture) to M-2 (Heavy Manufacturing/Industrial)

This 9.6 acre property is located at approximately 250 North King. The applicant and owner is Duncan Barlow.

City Planner, Peter Matson, said that the 9.6 acre piece of property proposed for rezone from A to M-2 would be added to an adjacent 2.72 acre triangular parcel to create an M-2 development site. He said the proposal is consistent with General Plan recommendations. Mr. Matson said that a specific user on the site has not been identified. A development agreement has been drafted to guard against some of the higher impacts that could be associated with the M-2 zoning. Five issues would be addressed with this development agreement as follows:

- Landscape buffering along King Street and 275 North

- Access management strategies along King Street and 275 North
- Maximum building height and building locations
- Truck traffic
- Higher impact land uses to be eliminated

The Commission suggested the following uses to be added to the list of uses that would not be allowed on the site:

- Electric power plant and water treatment plant
- Gasoline retail
- Transfer storage

Uses such as trucking terminal, storage and transfers were also discussed.

There was a discussion of building aesthetics.

The applicant, Duncan Barlow, was present. Mr. Matson had e-mailed him a copy of the development agreement, but he had not read it. Mr. Barlow said there is a Letter of Intent on the property and this user would not enter or exit onto 275 North. Mr. Matson explained building heights and locations to Mr. Barlow.

PUBLIC REVIEWS:

4. ANGELS LANDING PRUD – PRELIMINARY APPROVAL

This 1.63 acre property is located in an R-M1 PRUD zoning district at approximately 950 North Angel Street. The applicant, Castle Creek Homes, represented by Bryce Thurgood, proposes four six-plex apartment buildings.

Mr. Weaver presented a history of the rezone on the property. He said the Design Review Committee (DRC) had reviewed the proposed development, which needed a 5 percent density bonus for one additional unit – 23 units to 24 units. The project received a 45 percent density bonus based on additional open space, masonry on the units, walking path, play structure and fencing. The DRC recommended that the sameness pattern on the six-plex building be changed. No floor changes will be required but just aesthetic changes such as adding windows and rock to walls facing Angel Street and dormers over windows and doors on the rear side of the building, and moving some rock from the front of the buildings to the sides. Another recommendation would be to extend planting beds across common areas along Angel Street and installing a 3-foot picket fence across the detention basin to provide security for children playing. Mr. Weaver said the building elevations would be a combination of timber columns, stucco, and rock, with no siding proposed.

Mr. Weaver said the units would be rented with one owner for the buildings; however, each unit will have private laterals in case the units are ever sold individually. Mr. Wright said that with garages and two-level units, the property would be more like a townhome setting.

Commissioner Gilbert remarked that it seemed like a lot of units on a very small lot and asked if the project matched up with the amenities of the other two properties proposed. Mr. Weaver responded that the townhome units offer the security of a garage and meet ordinance requirements for amenities.

Mr. Weaver remarked that the proposed project was a good infill project with commercial and industrial uses to the south and west and a similar townhome project to the east.

There was a discussion of fencing colors.

Commissioner Weaver pointed out a clerical error on the Engineers report with the use of the word sing versus sign.

5. GREYHAWK PLAZA COMMERCIAL SUBDIVISION PHASE 4 – FINAL APPROVAL

This 9.422 acre property consists of 4 lots located at approximately Church Street & Highway 193. The applicant is East Layton LLC represented by Gardner Crane.

Mr. Weaver explained that the Greyhawk Plaza Commercial Subdivision Phase 4 includes Lot 1, which is the proposed East Gate at Greyhawk PRUD apartment complex, Lot 2, which is the South Weber water pump station, and Lots 3 and 4, which are for future development. He said that Phase 1 of the subdivision currently includes the detention pond, which is also included in Phase 4 Lot 1, as it is needed to meet the open space requirement for that development. Phase 1 will be amended to eliminate Lot 1 so that it can be included in Phase 4. The developer has been instructed to consult with Davis County on the procedural order for recording the plats.

6. OTHER

Duncan Barlow informed the Commissioner that the car dealership on his property at 377 North Main Street had moved to another location.



Julie Jewell, Planning Commission Secretary

LAYTON CITY PLANNING COMMISSION MEETING MINUTES

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MEMBERS ABSENT: Kristin Elinkowski, Tim Pales

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Planning Commission Chair, Sharon Esplin, called the meeting to order at 7:08 p.m. The Pledge of Allegiance was recited and an invocation was given by a member of the audience, Eric Byers.

The oath of office was given by Planning Commission Secretary, Julie Jewell, to Commissioner Brian Bodily for re-appointment to the Planning Commission.

Chairman Esplin called for nominations for Planning Commissioner Chair. Commissioner Weaver nominated the current Planning Commission Chair, Sharon Esplin, to serve as Planning Commission Chair from July 1, 2011, to July 1, 2012. Commissioner Gilbert seconded the motion, and the voting was unanimous.

Chairman Esplin called for nominations for Planning Commission Vice-Chair. Commissioner Bodily nominated current Planning Commission Vice-Chair, Kristin Elinkowski, to serve as Planning Commission Vice-Chair from July 1, 2011 to July 1, 2012. Commissioner Weaver seconded the motion and the voting was unanimous.

Chairman Esplin called for a motion to open the Public Hearing. Commissioner Bodily seconded the motion, and the voting was unanimous.

PUBLIC HEARING:

1. CRE PROPERTIES – GENERAL PLAN AMENDMENT AND REZONE REQUEST C-H TO R-M2 PRUD WITH A CONCEPTUAL PLAN FOR VILLAS AT MAIN

This 5.67 acre property is located at approximately 1451 North Main Street. The applicant is CRE Properties represented by Bryce Thurgood.

Mr. Weaver explained that the air photo erroneously included additional acreage to the former Stimson site proposed for a General Amendment and rezone. Mr. Weaver said that based on the depth of the lot, it would be difficult to develop a commercial site. Mr. Weaver said the proposed multi-family residential use would be an asset to the City rather than the current dilapidated site which has become a constant

enforcement issue. Mr. Weaver said Staff feels that additional residential property being introduced into the area would support existing commercial uses along Main Street. The request is to change the General Plan recommendation for the property from commercial to multi-family residential and change the zoning of the property from C-H to R-M2 PRUD.

Mr. Weaver explained that the R-M2 PRUD zone, which is being proposed, allows for a base density of 16 units per acre, which would allow for 91 units on this site. The applicant is proposing 120 units to be contained in eight 12-plex buildings and one 24-plex building. The project must achieve a 32 percent density bonus from the Design Review Committee (DRC) to achieve the additional 29 units. He said the applicant proposes a clubhouse/office with a pool, a play structure area, seating area, and a large open space. The applicant is planning for 75 percent of each building to be masonry and 50 percent of the parking to be covered parking. Staff will ask that the covered parking be hidden from Main Street for better aesthetics. Staff is also asking that some of the buildings, rather than parking, be placed closer to Main Street to provide, with landscaping, a better view corridor along Main Street.

Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation to the Council to approve the General Plan Amendment and rezone from C-H to R-M2 PRUD.

Commissioner Weaver asked what type of barrier would be installed between the proposed development and the existing homes to the west. Mr. Weaver responded that solid vinyl or wood fencing would be required with a 20-foot landscaped periphery buffer between the single family residential property and the parking area for the multi-family housing project.

There were no further questions from the Commission. A member of the audience, Eric Byers, 1068 North 1300 West, expressed concerns about the elementary school in the area being able to accommodate additional students that may come with the proposed development.

The applicant and developer, Bryce Thurgood, Perry, Utah, said one of the first things he researched was the impact on schools. He spoke with personnel at Vae View Elementary who said that the opening of Ellison Elementary had relieved the population of Vae View Elementary. He stated his desire to make a nice development on the property.

Chairman Esplin called for two motions on the item – one motion for the General Plan Amendment and one motion for the rezone request. Commissioner Gilbert moved, based on the commercial designation not being a good fit for the property due to lot depth and the lack of alternatives for a use on the property, that a positive recommendation be sent from the Planning Commission to the Council to approve the General Plan Amendment. Commissioner Weaver seconded the motion, and the voting was unanimous.

Commissioner Gilbert moved that the Planning Commissioner forward a positive recommendation to the Council to approve the rezone of the property from C-H to R-M2 PRUD. Commissioner Bodily seconded the motion, and the voting was unanimous.

2. DARREN CHILD – GENERAL PLAN AMENDMENT AND REZONE REQUEST – CP-2 (Planned Community Commercial) to R-H (High Density Residential)

The applicant is proposing a General Plan amendment to allow for parcels on 6.83 acres at 400 West and north of Antelope Drive to be rezoned from CP-2 (Planned Community Commercial) to R-H (High Density).

Mr. Weaver presented the request for a General Plan Amendment on 6.83 acres with residential on the largest portion of the property and two smaller commercial parcels fronting Hill Field Road. He gave an overview of the uses and zoning in the area.

Mr. Weaver said the property, zoned CP-2, has always been vacant with commercial uses unable to develop on the site due to diminished street frontage. He said the applicant is requesting to amend the General Plan to allow for a multi-family use, which staff feels would be a good infill development for the property acting as a buffer between the single family residential property to the west and the high traffic Hill Field Road to the east as well as commercial property to the south and east. Mr. Weaver explained that the development would be centered on the site with solid vinyl fencing and a 20 foot landscaping buffer and no drive access between the multi-family development and the single family residential homes to the west. He said there would be an approximate 96 foot separation between the multi-family and single family residences so there would be no significant impact to the single family residence. Mr. Weaver said the General Plan amendment does not affect the two commercial lots fronting on Hill Field Road.

Mr. Weaver said the applicant proposes a office/club house and pool as well as a play structure and tot lot. Detention will be required and is currently located in the center of the project as open space for the project. Another amenity being shown on the concept plan is enclosed garages. He said 50 percent of parking will be canopy covered parking with some single car garages.

Mr. Weaver said there would be a mixture of 1-3 bedroom units in each building. He explained parking requirements and shared parking at the back of the commercial buildings with cross access easements to shared parking. Mr. Weaver said there would be two ingress/egress locations with the main location from Hill Field Road and a possible secondary access on Antelope Drive. He said Staff would work with the applicant to address any traffic issues.

Mr. Weaver said that if the General Plan amendment and rezone are approved, the project would be a good transitional buffer between a high traffic street and commercial property and the single family residential area. New residential development would benefit existing commercial businesses in the area and most likely cause the empty commercial pads to develop more quickly

Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation to the Council to approve the General Plan amendment and rezone from CP-2 to R-H.

Commissioner Fitzpatrick asked about retail setback from a side road, and Mr. Weaver responded that there is a zero lot line. There was a discussion of retention for differences in grades. Mr. Weaver said the grades do meet the requirement of 4 percent or less and that there has been no comment from the Engineering Division regarding the different grades between the properties or the Antelope Drive entrance grade.

Commissioner Fitzpatrick suggested a right turn only lane onto Antelope Drive to help with traffic.

There were no questions or comments from the Commission or the audience.

The applicant and developer, Darrin Child, Mendon, Utah, said the reason for the density request is in order to get the amenities required. He said his company has looked at several different projects on the site but none have worked. He said the density is critical to allow for on-site management, which ensures maintenance of the property and activities on the site. His feeling was that the residential development would benefit the existing retail businesses in the area.

Chairman Esplin called for two motions on the item. Commissioner Hazen moved to forward a positive recommendation from the Planning Commission to the Council to approve the General Plan amendment based on commercial uses not being able to develop in the area and Staff's recommendation that the multi-family proposal would be a better fit for the property. Commissioner Gilbert seconded the motion which passed by a margin of 4 in favor to 1 opposed with Commissioners Hazen, Weaver, Fitzpatrick and Gilbert voting in favor and Commissioner Bodily opposed.

Commissioner Hazen moved that the Planning Commission forward a positive recommendation to the Council to approve the rezone from CP-2 to R-H Commissioner Gilbert seconded the motion, which passed by a margin of 4 in favor to 1 opposed with Commissioners Hazen, Weaver, Fitzpatrick and Gilbert voting in favor and Commissioner Bodily opposed.

3. BARLOW REZONE – REZONE REQUEST WITH A DEVELOPMENT AGREEMENT – A (Agriculture) to M-2 (Heavy Manufacturing/Industrial)

This 9.6 acre property is located at approximately 275 North King. The applicant and owner is Duncan Barlow.

City Planner, Peter Matson, presented the request to rezone 9.6 acres on the west side of King Street from A to M-2 based on the General Plan recommendation for the area. Mr. Matson said there are uses in the land use table that Staff is proposing to be excluded from this site. These uses are included in Article 4 of the development agreement, "Owner's Undertakings," which is included in its entirety with these minutes. The Commission recommended the addition of an electric power plant, water treatment plant, gasoline sales, and transfer storage as uses also to be excluded from this site. He said light manufacturing or industrial uses were preferred for this site. Article 4.1 of the development agreement was corrected to to M-2 zoning instead of M-1 zoning.

Mr. Matson reviewed the development agreement stating that the minimum landscape strip on King Street and 275 North by ordinance is 8 feet. The proposed development agreement specifies the landscaping buffers be increased from 8 to 20 feet on both frontages with a minimum of 10 percent landscaping on the overall site. Off street parking along King Street or 275 North must be screened by landscaping or a berm. Any building over 35 feet in height must be placed toward the northwest portion of the subject area. The maximum building height would be 100 feet.

Mr. Matson said exterior building designs with facades visible from a public street must include masonry on the visible facades.

He said all truck traffic to and from the subject area must go from King Street north towards 500 North and away from Gentile Street.

Subject to the applicant meeting Staff requirements, Mr. Matson said Staff recommends the Planning Commission forward a positive recommendation to the Council to approve the rezone from A to M-2.

Commissioner Hazen asked that references to 250 North in the Development Agreement be changed to 275 North.

The applicant, Duncan Barlow, 529 West Gentile Street, asked Mr. Matson to identify buildings on the aerial view of the property. He asked if Smith's had an ice cream plant and asked for ice cream plant to be removed from the list of uses that had been excluded from this property. Mr. Barlow asked why the ice

cream plant had been excluded and Mr. Matson explained that a free standing ice cream plant would put the impacts of that use even closer to the neighborhood than the Smith's facility. He said that the intent of the development agreement was not to take development viability away from a project and that amendments to the agreement are possible.

Commissioner Hazen asked if the wording of the development agreement could indicate that an extension of a current ice cream plant would be allowed.

The following members of the audience expressed concerns regarding possible traffic increase causing a detriment to the neighborhood, semi-truck noise, and property value decrease.

- Fred Hager, 727 West 275 North
- Oswaldo Rodriguez, 695 West 275 North
- Julie Hager, 727 West 275 North

Commissioner Fitzpatrick said that the development agreement specified that no semi-trucks could enter or exit off 275 North.

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

Commissioner Weaver moved that the Planning Commission forward a positive recommendation to the Council to approve the rezone from A to M-2 based on General Plan recommendations and a correction to 4.1 of the development agreement and following the guidelines of the development agreement. There was no second on the motion, which motion died for lack of a second being made. Chairman Esplin called for another motion on the item.

Commissioner Gilbert moved that the request for rezone be tabled to the next Planning Commission meeting to gather more detailed information for the Commission's understanding before moving forward. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

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

PUBLIC REVIEWS:

4. ANGELS LANDING PRUD – PRELIMINARY APPROVAL

This 1.63 acre property is located in an R-M1 PRUD zoning district at approximately 950 North Angel Street. The applicant, Castle Creek Homes, represented by Bryce Thurgood, proposes four six-plex townhome buildings.

Mr. Weaver described the zoning and uses in the area surrounding the property proposed for preliminary approval. He said the applicant is proposing 24 units on 1.63 acres.

Mr. Weaver presented a history of the rezone on the property. He said the Design Review Committee (DRC) had reviewed the proposed development, which needed a 5 percent density bonus for one additional unit – 23 units to 24 units. The project received a 45 percent density bonus based on additional open space, masonry on the units, walking path, play structure and fencing. The DRC recommended that

the sameness pattern on the six-plex building be alleviated. No floor changes will be required but just aesthetic changes such as adding windows and rock to walls facing Angel Street, dormers over windows and doors on the rear side of the building, and moving some rock from the front of the buildings to the sides. Another recommendation would be to extend planting beds across common areas along Angel Street and installing a 3-foot picket fencing across the detention basin to provide security for children playing. Mr. Weaver said the building elevations would be a combination of timber columns, stucco, and rock with no siding proposed.

Mr. Weaver described the landscaping as honey locust trees with a flower bed continuing across the detention area and a tot lot secured from Angel Street with a picket fence and shrub beds.

He said the proposed streets have been widened from the concept plan. The streets will be private and meet the street width ordinance for private streets.

Mr. Weaver said the townhomes will be rented out with the entire development owned by one owner. Individual utility laterals are being installed to allow for possible future sale as condominium units. A condominium plat would be required in this event.

Mr. Weaver said the development meets the requirements of the General Plan and that Staff recommends the Planning Commission forward a positive recommendation to the Council to approve the preliminary plat for the Angels Landing PRUD subdivision.

Commissioner Fitzpatrick asked for an explanation of how the units would vary in color. Mr. Weaver said the colors may be muted and varied per unit.

There were no further questions or comments from the Commission or the audience.

Chairman Esplin called for a motion on the item.

Commissioner Fitzpatrick moved that the Planning Commission forward a positive recommendation to the City Council to grant preliminary plat approval for the Angels Landing PRUD subdivision based on the DRC's recommendation of a 40 percent density bonus for the 24 unit townhome development subject to meeting all Staff requirements as outlined in Staff memorandums. Commissioner Bodily seconded the motion, which passed by a margin of 4 to 1 with Commissioners Hazen, Fitzpatrick, Weaver, and Bodily voting in favor and Commissioner Gilbert opposed.

5. GREYHAWK PLAZA COMMERCIAL SUBDIVISION PHASE 4 – FINAL APPROVAL

This 9.422 acre property consists of 4 lots located at approximately Church Street & Highway 193. The applicant is East Layton LLC represented by Gardner Crane.

Mr. Weaver explained that the Greyhawk Plaza Commercial Subdivision Phase 4 includes Lot 1 which is the proposed East Gate at Greyhawk apartment complex, Lot 2, which is the South Weber pumping station, and Lots 3 and 4, which are for future development. He said that Phase 1 of the subdivision currently includes the detention pond, which is also included in Phase 4 Lot 1 as it is needed to meet the open space requirement for that development. Phase 1 will be amended to eliminate the detention basin property so that it can be included in Phase 4. The developer has been instructed to consult with the County on the procedural order for recording the plats.

Mr. Weaver said that a future Phase 5 would contain two parcels. He said Staff recommends the Planning Commission forward a positive recommendation to the Council to grant final approval to Greyhawk Plaza Commercial Subdivision Phase 4 subject to the amendment to Phase 1 of this subdivision plat.

Mr. Weaver explained the commercial subdivision plat approval process. There were no further questions or comments.

Chairman Esplin called for a motion on the item. Commissioner Fitzpatrick moved that the Planning Commission forward a positive recommendation to the Council to grant final approval to the Greyhawk Plaza Commercial Subdivision Phase 4 final plat subject to the amendment of Phase 1 of the Greyhawk Plaza Commercial Subdivision. Commissioner Hazen seconded the motion, and the voting was unanimous.

Chairman Esplin called for a motion to close Public Review and adjourn the meeting. Commissioner Weaver moved to close Public Review and adjourn the meeting. Commissioner Gilbert seconded the motion, and the voting was unanimous.

The meeting adjourned at 8:27 p.m.



Julie Jewell, Planning Commission Secretary