

**LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
FEBRUARY 14, 2012**

MEMBERS PRESENT: Brian Bodily, Sharon Esplin, Gerald Gilbert, Tim Pales,
Dave Weaver

ALTERNATE MEMBERS PRESENT: Jeremy Davis, Dawn Fitzpatrick

MEMBERS ABSENT: Kristin Elinkowski

ALTERNATE MEMBERS ABSENT:

OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver,
Brandon Rypien, Andrew King, Steve Garside, Julie
Jewell and Councilmember Jory Francis

PUBLIC REVIEW:

1. KAYS CREEK LANDING PHASE I – FINAL APPROVAL

This 4.98 acre property is located at approximately 815 West Weaver Lane in an R-1-8 zoning district. The developer, Phil Holland from Henry Walker Homes, is proposing 14 single family residential lots.

Planner II, Kem Weaver, presented the request for final approval for Kays Creek Landing Subdivision Phase I. There was a discussion about the placement of street lights as determined by the Engineering Department and Staff. Mr. Weaver will check with Engineering on the placement of the lights. Community and Economic Development Director, Bill Wright, said that typically both sides of the street aren't lighted.

2. MAKES & MODELS – CONDITIONAL USE FOR AUTO SALES

This property is located at 1524 West Gordon Avenue in an M-2 (Heavy Manufacturing/Industrial) zoning district. The property owner is Choice Point Properties, LLC represented by the applicant, Derek Wolthoff.

Planner I, Andrew King, presented the request for conditional use for auto sales. Commissioner Fitzpatrick disclosed that her son was a business partner with the owner of the building for which the conditional use was being considered.

The Commission questioned the Fire Department requirement for the battery to be disconnected each night. Staff will talk with the Fire Department regarding this requirement.

3. MARSHALL WAY SUBDIVISION – CONDITIONAL USE FOR OUTDOOR STORAGE

This property is located from 893 to 905 North Marshall Way (Buildings 1 thru 6) in an M-1 (Light Manufacturing/Industrial) zoning district. The property owners Todd Morgan, Joe Morgan, Jim Thiros, and Paul Sutherland are represented by Todd Morgan and the applicant, Ken Coughlan.

Planner I, Andrew King, presented the request for conditional use for outdoor storage in the Marshall Way Subdivision and clarified the ownership on the buildings. He said all outdoor storage in the

subdivision is already fenced except for a fire turnaround area. Mr. King showed a map of areas that need to be screened.

Commissioner Weaver mentioned a property to the north that was not screened. He asked if it could be screened. Mr. King said that property was not part of the current conditional use request. Mr. Wright said perhaps the business was there before the trail and that screening could not likely be required unless there is a change in the business or ownership. Assistant City Attorney Steve Garside added that the screening couldn't be required unless they were out of compliance.

There was a discussion on the slope of the storage area and the stacking of the dumpsters above the fencing line. Commissioner Gilbert felt it was important to be consistent with other outdoor storage conditional uses where the applicant couldn't stack anything higher than the fence. He recommended a maximum height of two dumpsters.

Commissioner Gilbert reported that there were five dumpsters currently outside the dumpster storage area.

Commissioner Davis said the storage area should be striped so the storage would not encroach on the fire turnarounds. Mr. King said he would make sure the applicant knew he couldn't store dumpsters west of the loading dock.

Commissioner Gilbert expressed a concern that the area was not meant for outdoor storage.

There was a discussion regarding the applicant acquiring more space for the storage, but Mr. Wright and Mr. Garside said the City couldn't be involved in a conversation about tenancy nor could they require it.

Due to site constraints, the applicant is requesting to reduce the required amount of landscaping, and Mr. King said that the Planning Commission has the authority to grant the exception.

There was a discussion about the slatting of the fencing. Mr. Wright suggested that the fencing along the trail be screened but not necessarily screened between the buildings since the buildings are so far off Marshall Way.

Commissioner Bodily asked if in the event an applicant loses a lease because of a Planning Commission decision if the Planning Commission is liable. Mr. Garside responded that the Planning Commission would not be liable.

There was a discussion of the view of the site from the trail and possible odor from the bins.

Mr. Garside said the impacts of the proposed use should be identified and then conditions proposed to offset or mitigate the impacts.

Commissioner Gilbert expressed concerns about the slope and if the bins would slide off each other if stacked. Mr. King replied that the bins are stacked inside of each other. Commissioner Gilbert also said with regard to fencing that the same conditions should be applied as in outdoor storage situations.

The following are the concerns that the Commission asked to be addressed:

1. Turnaround to be marked
2. Slatting along the western edge of the rail trail
3. 10 foot height limit for stacking

4. Addition of extra trees in landscaping

4. UTOPIA HUT SITES – CONDITIONAL USE FOR TELECOMMUNICATION SWITCHING STATIONS

2200 West Hill Field Road – Fire Station #51
3675 West and 75 North – Feathering Sands Detention Pond

Mr. Matson said that Staff will review the site with the Engineering Department on Thursday, February 16, 2012. He asked that the Planning Commission table the request until more review could be done. Commissioner Fitzpatrick asked who owned the detention ponds, and Mr. Matson replied that the City was the owner of both pond sites.

PUBLIC HEARING:

5. LAYTON CITY WEAVER LANE REZONE REQUEST – A (AGRICULTURE) TO R-1-8 (SINGLE FAMILY RESIDENTIAL)

This .73 acre property is located at approximately 175 West Weaver Lane in an Agriculture zoning district. The applicant and owner is Layton City.

This item was not discussed due to lack of time.

6. WEST LAYTON GENERAL PLAN AMENDMENT (WEST LAYTON VILLAGE CENTER); ORDINANCE AMENDMENT (TITLE 19 – ZONING) – CHAPTER 19.27 VILLAGE CENTER (VC) ZONING DISTRICT; AND VILLAGE CENTER REZONE (107 ACRES) FROM A (AGRICULTURE) TO VC (VILLAGE CENTER)

The 140 acre General Plan Amendment area is located along both sides of West Hill Field Road between 2200 West and 2700 West. The 107 acre Rezone area is on the south side of West Hill Field Road between 2200 West and 2700 West. *The entire code is available for download at www.westlaytonvillage.org.*

Community and Economic Development Director, Bill Wright, mentioned a letter received from a resident, Jayme Haden, asking that the hearing be cancelled due to Valentine's Day Holiday. He outlined his response to Ms. Haden, stating that the meeting couldn't be cancelled and letting her know that he would share her concerns with the Commission. He also informed her that there would be an additional opportunity for public input when the City Council reviews the West Layton General Plan Amendment, Village Center Zoning District, and Village Center rezone on April 5, 2012. He informed the Commission that they had the option to continue the February 14, 2012, hearing to ask Staff for more information. The Planning Commission would send a recommendation to the Council with the City Council making the final decision.

Commissioner Davis asked if anything had changed with the intent of what was going to happen in the proposed West Layton Village Center area.

Mr. Wright said that the zoning on the north side of Hill Field Road would remain the same with a combination of CP-1, PB and B-RP zoning. This area will be acknowledged as being a part of the Village Center and the owners could apply to be rezoned under the Village Center Form Based Code zoning.

Commissioner Davis asked about the master street plan specifically the 2700 West Corridor and Mr. Wright said the master street plan would come through the process of the regulating plan. City Planner, Peter Matson, said the form based code regulating plan could specify that the streets be offset.

Commissioner Davis asked about the park planned at 2700 West and West Hill Field Road. Mr. Matson responded that there was a City-owned parcel just north of the Village Center area that could possibly be a regional park. Mr. Wright said park areas would be determined through the Village Center regulating plan.

Commissioner Gilbert asked if Ms. Hafen was told that the Planning Commission would just be making a recommendation to the City Council, and Mr. Wright responded in the affirmative.

Mr. Matson presented a review of the background of the West Layton General Plan Update and West Layton Village Center amendment. He spoke about the growth in West Layton between 2001 and 2011. He gave a review of the public meetings and the Charrette process prior to defining the concept of the proposed West Layton Village Center. He explained how the mixed use form-based code was developed for the area, which is proposed to be called the Village Center Code (VC).

Mr. Matson spoke about the three transect areas – T3, which would be compatible with the existing fringe neighborhoods, T4, which would be at the center of the village, and T5, which would be the core area along West Hill Field Road. He described each transect area in detail.

Mr. Matson indicated that page 8 of the information being presented to the Commission was from the West Layton General Plan with changes indicated in the West Layton General Plan Study Policy Recommendations. He said the form-based code would be the tool to implement the changes.

Mr. Matson said 2700 West would be a connection from the West Davis Corridor into the Village Center area. He said the UTA bus route planner had attended all the public meetings and has been meeting with the Planning Department to discuss east/west connectivity in Layton with connections to the Layton Hills Mall and the FrontRunner station. He said the public transportation policy could be added as item #6 in the West Layton General Plan Study Policy Recommendations.

Commissioner Fitzpatrick asked about the Village Center area being centrally located on both sides of West Hill Field Road. Mr. Matson explained that the statement notes that the plan designation does include both the north and south sides of Hill Field Road although the actual rezone area is just the 107 acres on the south side of West Hill Field Road.

Commissioner Fitzpatrick asked about attached garages, building uses and ADA requirements being missing from the code. She also asked about the 10-foot width of driveways in the T4 transect zone and about businesses that have truck traffic.

Mr. Matson said the majority of the garages are attached and Planner I, Brandon Rypien, explained about the three layers on a property with the first layer being the front setback of the building including the porch area, the second layer being the building or home itself, and all parking being contained within the third layer. Most of the garages are attached and alley fed with all parking contained within the third layer on the property.

The Commission was concerned that Table 27-16 is too general in nature.

Mr. Matson said if the use is not listed or isn't contained in a definition, then the use is not allowed.

Commission Bodily felt there was more information needed on civic space. Mr. Rypien said when a developer submits for development, he will receive a list of requirements for the civic space.

Commissioner Bodily said that a lot of great work has gone into defining the West Layton Village Center and that it's important to get it right.

Mr. Matson said there would need to be three separate motions on the item with all motions being in the format of a recommendation to the City Council.

- (1) A motion regarding the West Layton General Plan Amendment
- (2) A motion regarding the adoption of the Village Center (VC) Zoning District
- (3) A motion regarding the rezone of the southern portion of the Village Center



Julie Jewell, Planning Commission Secretary

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Chairman Esplin called the meeting to order at 7:12 p.m. The Pledge of Allegiance was recited, and Commissioner Bodily gave an invocation.

Chairman Esplin called for a motion on the January 10, 2012, Planning Commission and Work Meeting Minutes. Commissioner Fitzpatrick moved to accept the Work and Regular Meeting Planning Commission Minutes for January 10, 2012, as written. Commissioner Davis seconded the motion, and the voting was unanimous.

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

PUBLIC REVIEW:

1. KAYS CREEK LANDING PHASE I – FINAL APPROVAL

This 4.98 acre property is located at approximately 815 West Weaver Lane in an R-1-8 zoning district. The developer, Phil Holland from Henry Walker Homes, is proposing 14 single family residential lots.

Planner II, Kem Weaver, presented the request for final plat approval for Kays Creek Landing Phase I plat. This subdivision was formerly called Roberts Creek Subdivision. Mr. Weaver gave an overview of the area surrounding the subdivision as it related to Layton Parkway, vacant ground to the west and southwest and similarly zoned surrounding subdivisions.

Mr. Weaver said the Planning Commission had approved the preliminary plat for the entire subdivision on January 24, 2012. This phase will have 14 lots on 4.98 acres. He said the minimum lot size is 8,000 square feet in the R-1-8 zone. This subdivision phase proposes 10,500 to 15,000 square foot lots. Each lot is required to adhere to the agreement that went with the annexation of the property.

By ordinance, Mr. Weaver said the developer will be required to install a landscape buffer and an eight-foot masonry wall as required and designed by the City. He said Staff is working with the developer to

finalize the landscape plan for the area as well as the detention pond, which will be designed similar to the Weaver Park detention pond with grass and trees.

Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation to the City Council to grant final plat approval to the Kays Creek Landing Subdivision Phase I.

Commissioner Weaver asked if there was pressurized secondary water available in the subdivision area. Mr. Weaver replied that Davis Weber Canal has indicated they can facilitate the area in the future.

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 City Council to approve the final plat for Kays Creek Landing subject to the applicant meeting all Staff requirements. Commissioner Bodily seconded the motion, and the voting was unanimous.

2. MAKES & MODELS – CONDITIONAL USE FOR AUTO SALES

This property is located at 1524 West Gordon Avenue in an M-2 (Heavy Manufacturing/Industrial) zoning district. The property owner is Choice Point Properties, LLC represented by the applicant, Derek Wolthoff.

Planner I, Andrew King, presented the conditional use request for auto sales at 1524 West Gordon Avenue. He said the applicant planned to specialize in high-end vehicles which will be kept inside the building with an occasional vehicle outside. Sales will be by appointment only. All parking for employees will be at the back of the building. He said five stalls in the front of the building will be designated for customers and display vehicles.

Mr. King said the landscaping is up-to-date. He said Staff recommends the Planning Commission grant the conditional use request subject to the applicant meeting the following conditions:

1. The business shall comply with all Fire Department, Building, Planning and Engineering Division requirements.
2. All business related parking shall be off-street only with customer parking designated in front of the building and employee parking in the rear.
3. The business shall not use more than three (3) parking stalls in the front of the building for use to display vehicles that are for sale.
4. The business shall abide by all City sign regulations including regulations for temporary signs.
5. "For Sale" signs shall not be placed on or in vehicles displayed in the parking lot.

Commissioner Fitzpatrick disclosed that her son is a business partner with Kendall Madsen in a business other than this business.

Commissioner Bodily asked about the normal business hours. The applicant, Derek Wolthoff, replied that the hours were 8:00 a.m. to 5:00 p.m. Monday thru Friday and by appointment on Saturday. Mr. Wolthoff also said he had received a copy of the conditions and agreed with them.

Commissioner Weaver asked for a definition of high end vehicles. Mr. Wolthoff replied that some of the models were BMW, Audi, and Porsche.

Commissioner Davis asked if Mr. Wolthoff would be able to comply with the Fire Department requirements, which Staff would clarify with the Fire Department. Mr. Wolthoff said he no problem with the Fire Department conditions.

There were no questions or comments, and Chairman Esplin called for a motion on the item.

Commissioner Bodily moved that the Planning Commission approve the conditional use request subject to the applicant meeting all Staff conditions, which are hereby adopted as requirements. Commissioner Weaver seconded the motion, and the voting was unanimous.

3. MARSHALL WAY SUBDIVISION – CONDITIONAL USE FOR OUTDOOR STORE

This property is located from 893 to 905 North Marshall Way (Buildings 1 thru 6) in an M-1 (Light Manufacturing/Industrial) zoning district. The property owners are Todd Morgan, Joe Morgan, Jim Thiros, and Paul Sutherland represented by Todd Morgan and the applicant, Ken Coughlan.

Andrew King, Planner I, presented the request for outdoor storage. He gave an overview of the area including the fire turn around area, fencing and screening.

Mr. King said that since most of the subdivision is not visible from Marshall Way and is in the industrial area, it was decided that screening would not be required between the buildings. He said Staff recommends screening along the west side of the subdivision adjacent to the rail trail. One exception in the subdivision would be the fencing in the area of the fire turnaround. He said the Planning Commission could grant an exception to this fencing.

Mr. King said Staff recommends the Planning Commission grant the request for conditional use for outdoor storage subject to the applicant meeting the following conditions:

1. All requirements from the Fire Department, Building and Engineering Divisions are met.
2. The business adheres to all Layton City requirements for outdoor storage. Outdoor storage is permitted to stack up to ten (10) feet as long as adjacent uses remain industrial. Stacking will be limited to the height of fencing if surrounding uses differ from an industrial/manufacturing use.
3. A minimum of three (3) additional trees shall be planted and maintained in the landscape strip along Marshall Way. Trees shall be a large variety deciduous species, as approved by staff.
4. Planning Commission approval of a modification to the fencing requirement for the southwest parcel removing the need for a fence on the north side based on the conflict with the turn-around area.
5. All outdoor storage fencing along the western edge of the subdivision shall be slatted.
6. Odors associated with any outdoor storage shall be controlled so as to not constitute a nuisance.
7. No outdoor storage of any type or parking of vehicles shall be allowed in the fire truck turn-around area. This fire truck turn-around area shall be painted in a way that clearly represents its boundary.

The property owner, Dave Whittaker, 1550 West Gordon Avenue, said the bins would be small, 8-yard bins and would be stacked no more than two high with a total stacking height of 8 to 8.5 feet. He said he understood the concerns with the turnaround area and said he would talk with Doug Bitton from the Layton City Fire Marshall's office, to determine the size of the turnaround. He also said he understood the need for slats in the fencing along the trail.

Chairman Esplin asked if the sloped area would make a difference in the stacking of the containers. Mr. Whittaker said he didn't think it would be a problem.

Commissioner Weaver asked about odor control, Mr. Whittaker said he couldn't promise there wouldn't be odors. However, he said that in the contract written for the lease as well as in the CC & R's for subdivision, it was specified that if odor becomes a problem, the applicant could be evicted. Mr. Whittaker said he would keep good track of this business because they are obligated to do so for the other owners in the subdivision.

Commissioner Davis expressed a concern about the Fire access being marked or striped. Mr. Whittaker said he will talk with Doug Bitton, confirm the area, and have it striped.

A property owner, Joe Morgan, 537 South 725 East in Layton, clarified that he was attending to represent his brother and sister, asked if there would be a slatted fence along the trail and was assured there would be a slatted fence along the trail.

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

Commissioner Pales moved that the Planning Commission grant approval for the conditional use for outdoor storage subject to the applicant meeting all Staff requirements and the condition listed, including the waiving of the requirement for fencing on the north adjacent to the fire turn around area, which are hereby adopted as requirements. Commissioner Davis seconded the motion. Commissioners Bodily, Davis, Fitzpatrick, Pales and Weaver voted in favor, and Commissioner Gilbert was opposed. The motion passed by a margin of 5 in favor to 1 against the motion.

4. UTOPIA HUT SITES – CONDITIONAL USE FOR TELECOMMUNICATION SWITCHING STATIONS

2200 West Hill Field Road – Fire Station #51
3675 West and 75 North – Feathering Sands Detention Pond

City Planner, Peter Matson, asked if there were any questions on the 2200 West Hill Field Road or the 3675 West and 75 North proposed locations for UTOPIA telecommunication switching Stations. There were no questions or comments. With regard to the 2200 West Hill Field Road location, Mr. Matson said the applicant had provided a brick veneer sample that would match the Fire Station and storage shed more closely than the previous proposal. Mr. Matson asked that the Planning Commission table the item to the February 28, 2012, Planning Commission meeting to allow for further review of sites with the applicant.

Chairman Esplin called for a motion on the item.

Chairman Weaver moved that the Planning Commission to table the item and readdress it on February 28, 2012. Commissioner Pales seconded the motion, and the voting was unanimous.

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

PUBLIC HEARING:

5. LAYTON CITY WEAVER LANE REZONE REQUEST – A (AGRICULTURE) TO R-1-8 (SINGLE FAMILY RESIDENTIAL)

This .73 acre property is located at approximately 400 West Weaver Lane in an Agriculture zoning district. The applicant and owner is Layton City.

Planner II, Kem Weaver, presented the request to rezone .73 acres at approximately 400 West Weaver Lane. He explained how the property was bisected when Layton Parkway was built and said the City had purchased the remnant parcel. Mr. Weaver explained that the applicant is proposing two 8,000 square foot lots. Lot 1 will have frontage on Weaver Lane and Lot 2 would be a flag lot behind Lot 1.

Following the rezone and subdivision plat approval, the Davis School District will partner with the Community Development Block Grant program to build the two homes. He compared the proposal to a similarly developed property on Golden Avenue. Working with the City to find affordable lots to build quality homes, the Davis School District Trades program allows an opportunity for students to learn how to construct a home.

Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the rezone from A to R-1-8 based on consistency with the General Plan recommendations for low-density (2 to 4 units per acre) single family residential uses in this portion of the City.

Commissioner Fitzpatrick asked about the property to east of the property proposed for rezone Dawn asked about the property to the east. Mr. Weaver explained that the area was reserved for a Kays Creek Trail Head parking area and a future UTOPIA hut site. Kem explained – Kays Creek Trail parking area and UTOPIA Hut site. He said the City owns the property on both sides of the creek.

There were no further questions from the Commission.

Robert Reed, 435 Weaver Lane, which is the parcel to the east of the parcel proposed for rezone, expressed a concern that the flag lot would encroach on his privacy. He proposed building a park rather than the two houses.

Commissioner Pales asked if there had been any thought about a park on that property.

Mr. Matson responded that the City has identified the need for a park in the area, but typically 8-10 acres is needed for a park. The City is looking for an opportunity to set aside a larger area to service the needs of the children in the area. He also said that this property is much smaller than anything the Parks Department would maintain.

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

Commissioner Bodily moved that the Planning Commission forward a positive recommendation to the City Council to rezone the property from A to R-1-8 based on consistency with the General Plan for low density single family residential uses. Commissioner Gilbert seconded the motion, and the voting was unanimous.

6. WEST LAYTON GENERAL PLAN AMENDMENT (WEST LAYTON VILLAGE CENTER); ORDINANCE AMENDMENT (TITLE 19 – ZONING) – CHAPTER 19.27 VILLAGE CENTER (VC) ZONING DISTRICT; AND VILLAGE CENTER REZONE (107 ACRES) FROM A (AGRICULTURE) TO VC (VILLAGE CENTER)

The 140 acre General Plan Amendment area is located along both sides of West Hill Field Road between 2200 West and 2700 West. The 107 acre Rezone area is on the south side of West Hill Field Road between 2200 West and 2700 West. *The entire code is available for download at www.westlaytonvillage.org.*

City Planner, Peter Matson, presented a history of the meetings and studies done to prior to proposing the following ordinances for review:

1. Ordinance 12-10 – Ordinance represents the adoption mechanism the City Council will use to update the West Layton General Plan which was originally adopted in 2001 with updates on 2003 and 2005.
2. Ordinance 12-11 – Add 19.27 Village Center Zoning District (VC) to the City's zoning ordinance.
3. Ordinance 12-12 – A proposal to change the zoning of 107 acres on the south side of Hill Field Road from A (Agriculture) to the VC zoning district designation based on adoption and approval of 19.27.

Mr. Matson said that the concept for the Village Center was discussed in 2009 and 2010 City Council Strategic Planning Meetings. The existing General Plan for the West Layton Area was reviewed and neighborhoods established since 2001 were noted. Concepts for residential and commercial areas and how the property could evolve into a village center were discussed. The Council accepted a proposal to allow the Planning Commission and Council to go through a Charrette process to explore a form-based code zoning option where the form would take precedence over the use and the management. The concept of transect zones was introduced and the T3, T4 and T5 areas explained.

Mr. Matson said that in January, 2011, the City hired a consultant team to present three scenarios with illustrations and a draft of the village center code. The three scenarios were:

1. Based on the existing zoning
2. Based on a full form-based code
3. Based on a hybrid code with the southern 107 acres based on form-based code and the 40 acres on the north based on existing zoning and established development agreements.

Mr. Matson reviewed some of the public input and emphasized that the scenarios are not plans but development that could be produced under the zone. He said that the code in its entirety is available on the City's website.

Mr. Matson explained the process from rezone to final plat and how street details and specific guidelines for various transect zones are implemented.

Mr. Matson said that in August, 2011, an administrative workshop was held with checklists for every type of application for the Village Center and cross checking to make sure everything was complete for review by the Planning Commission. He said the goal is to create a place and not just a project.

Mr. Matson said the West Layton General Plan Study Policy Recommendation indicated changing the Commercial zoning designation to Village Center (VC) with the Village Center Code being the implementation tool.

Mr. Matson said 2700 West would be an important connection from the West Davis Corridor into the Village Center area. He said the UTA route planner had attended all the public meetings and has had meetings with the Planning Department to discuss east/west connectivity in Layton with connections to the Layton Hills Mall and the FrontRunner station. He said a public policy could be added as item #6 in the West Layton General Plan Study Policy Recommendations.

Mr. Matson said that the zoning on the north side of West Hill Field Road would remain with the existing combination of CP-1, PB and B-RP zoning. This area will be acknowledged as being a part of the Village Center and the owners could apply to be rezoned under the Village Center Form Based Code zoning. The 107 acres on the south side of West Hill Field Road is proposed to be rezoned to VC.

Mr. Matson said Staff is recommending the Planning Commission forward a positive recommendation to the City Council to approve the following:

1. Ordinance 12-10 – Ordinance represents the adoption mechanism the City Council will use to update the West Layton General Plan which was originally adopted in 2001 with updates on 2003 and 2005.
2. Ordinance 12-11 – Add 19.27 Village Center Zoning District (VC) to the City's zoning ordinance.
3. Ordinance 12-12 – A proposal to change the zoning of 107 acres on the south side of West Hill Field Road from A (Agriculture) to the VC zoning district designation based on adoption and approval of 19.27.

The following were comments and questions from the public:

John Sellers, a resident two miles north of the proposed West Layton Village Center asked that the type of businesses built in the area be carefully considered and that guidelines be established to control the amount of traffic in the Ellison Park and Ellison Elementary School area.

Nicole Call, 682 North 2275 West, expressed the following concerns:

1. Community feedback wasn't incorporate and considered since few people wanted the 3-story reflected in the T5 transect zone.
2. A regulating plan needs to be in place before moving forward.
3. Requested reanalysis of percentages in sub-districts before City Council review.
4. Concern about rear alleys and compared to alleyways in Salt Lake City.

Mr. Matson addressed Ms. Call's concerns as follows:

With regard to the regulating plan, Mr. Matson said that a regulating plan on the south 107 acres is not something the property owner is prepared to do at this time; however, the code is the guideline for the formation of the regulating plan before the developer can start the development process.

With regard to 3-story buildings in the T5 transect zone, Mr. Matson said the T5 zone in a village center setting is to accomplish and provide services the commercial center recommendations would facilitate with the third story being the exception rather than a rule. The second and third stories would involve residential or office space.

Mr. Matson said the rear alleys in Salt Lake City are probably not good examples because of their narrow width. He said in the T5 zone the rear alley would be a 30-foot right-of-way, and in the T3 and T4 zones the rear alley would be a 26-foot right-of-way. He cited the DayBreak community as a better example.

Commissioner Gilbert agreed that the Salt Lake City examples were not a fair comparison to what is planned for the Village Center. He asked if the consultant expense was shared by the two property owners and Mr. Matson replied in the affirmative stating that the two property owners are still involved and participated before, during and after the administrative workshop.

Commissioner Davis asked what type of process will occur when development is proposed without a regulatory plan included at this time.

Mr. Matson said the process is atypical because of the way the property ownership is structured at this time. He said the City supports the property owner and their efforts in waiting to develop a regulating plan. He said the way the ordinance is written at present, development would be reviewed as it would in any other part of the City. The percentages and guidelines of the regulating plan would be considered. He listed all the items that would be included in a regulating plan and mentioned thoroughfares and their relationship to each of the transect zones. Sub-district allocations, block lengths and block structures would be reviewed. He said there were specific maps associated with the regulating plan itself.

He said a subdivision plat, by State law, must be reviewed by the Planning Commission similar to a preliminary overall. This preliminary plan would be intricately tied to the regulating maps and guidelines of the code.

Commissioner Davis verified that the plat would still be reviewed by the Planning Commission and City Council. Mr. Matson replied in the affirmative and said a lot of the detail is established before the development plans are submitted. He said neighborhood open houses to share the regulating plan are highly encouraged.

Bill Day, 2049 Ridge Road, said he felt there was no need for the project since there are buildings for rent and land available further east on West Hill Field Road.

John Wheatley, representing Symphony Homes in the Pinehurst Place Subdivision at 1700 West Gentile, said he had been involved with a form-based code effort in Denver. He said higher density areas could be allowed but around a large community amenity. He felt there was an opportunity to apply a form-based code in this area to off-set any density. He asked if the higher density would require off-site infrastructure.

Chad Harwood, a resident to the west in the Wild Horse Meadows Subdivision, asked for information on the commercial aspects of the Village Center. Mr. Matson said a grocery store had been anticipated as an

anchor on the property north of West Hill Field Road. He said that the overall intent is for a grocery store anchor but most likely a specialty or smaller format than a typical Smith's size grocery store. He said the City would become actively involved to find tenants that fit the format of the Village Center.

Kristine Dennis, resident in the Cold Water Creek Subdivision, expressed concerns about the number of apartments that could be built and the affect on the school statistics.

Mike Dennis, 289 North Cold Creek Way, felt there was no need for additional commercial in the area. He expressed concerns about traffic and said it appeared that up to 75 percent of the buildings could be apartments.

Commissioner Davis asked for a clarification of the percent breakdowns in the T zones.

Sub-Districts	Original	Minimums
T3	10-30%	10%
T4	30-75%	30%
T5	10-30%	10%
Civic	5% Min.	5%

Mr. Matson said that although civic space was a minimum of 5 percent, there must be civic space within 800 feet of residential use. He said there is a requirement in the Village Center code for the main civic area and location criteria is specified. He said apartments of the typical walk up variety would not be allowed by the code. Block lengths, block circumference, maximum lot widths will dictate the building size.

Commissioner Fitzpatrick pointed out that single family residences are also allowed in the T4 zone.

Commissioner Davis reiterated that although regulatory plan is not in place that has absolute lines drawn in the center, elements like the block lengths and proximity to the city center limits how the project will develop.

There was a discussion about a possible need for a recreation center in West Layton and Mr. Matson responded that recreation centers are built in conjunction with the schools.

Commissioner Fitzpatrick pointed out that with regard to concerns about the type of businesses that would be allowed in the Village Center, she said smoke shops wouldn't be allowed by ordinance. The code is quite limited and specific about what businesses are allowed. She said that without a T5 zone, there is no Village Center because there has to be a mix of both commercial and residential to have a village. She said that the Village Center that would be a nice phase out to the surrounding agriculture property. Commissioner Fitzpatrick said that with regard to above ground utilities in alleyways, in newer areas such as the proposed Village Center, the utilities would not be above ground and Home Owners Associations would maintain those areas.

Commissioner Fitzpatrick pointed out that if there were no changes to the master plan, there would not have been any growth in east Layton. She said projected growth to West Layton is at about 30-35,000 at built out, and the City needs to have the forethought to bring the services to West Layton. She said there needed to be a commercial center in West Layton to allow for growth and expressed her feeling that the City needed to be proactive for future growth rather than take action after the growth occurs. As gasoline prices raise, citizens will have services they can walk to rather than driving and children will have schools in their neighborhood. She addressed the concern about the possibility of increased traffic on West Hill

Field Road stating that if the VC code was adopted on both sides of West Hill Field Road, it could actually slow traffic due to the design of the road.

Ryan Day, 2620 West Gentile, expressed concerns about future density. He mentioned the density of the Harmony Place Subdivision at 2200 West south of Gentile and concerns about the traffic on West Hill Field Road. He felt R-S would be the best zoning for the area.

There were no further questions or comments. Chairman Esplin called for motions on the item.

Commissioner Gilbert moved that the Planning Commission forward a positive recommendation to the City Council to adopt Ordinance 12-10 to amend the West Layton General Plan.

Commissioner Fitzpatrick asked if there was a recommendation to reduce the percentage range in the transect zones, during which motion could that recommendation be made. It was determined the recommendation could be made during the motion to add 19.27 and adopt the Village Center Zoning District.

Commissioner Pales seconded the motion made by Commissioner Gilbert and the voting was unanimous.

Commissioner Gilbert moved that the Planning Commission forward a positive recommendation to the City Council to adopt ordinance 12-11 add Section 19.27 Village Center Zoning District (VC) to the City's General Plan.

Commissioner Fitzpatrick asked for amendment to the motion to change the T4 range from 30-75% to 30-50%. Commissioner Gilbert accepted the change to the motion.

Commissioner Davis asked what might be the end result of the percentages changes.

Mr. Matson and Mr. Wright responded that when a percentage is reduced in one sub-district, the other sub-districts go to the highest percentage in their range. If the upper range of T4 is lowered to 50%, then both T3 and T5 will move to a higher percentage. When you lower one, the others could soar to their highest level. Mr. Wright said there is a limit to the amount of commercial services that could be provided. The Village Center format is not a large box type of commercial business but more of the commercial with small shops of less square footage. Reducing the T4 could force the commercial percentage higher. The percentage recommended by the consultant team and Staff lends itself to the largest amount of single family homes, attached homes, row homes and townhomes with some apartments. If more percentage were pushed to the T5 sub-district it may not be supported by the market to create a Village Center. There are consequences to making a significant change in the T zone percentages.

Commissioner Fitzpatrick said there is nothing to prohibit their being 75% apartments.

Commissioner Davis asked that the item be tabled for two weeks to explore the options of changing percentages. Mr. Wright said the consultant wouldn't be able to attend, but said that Staff would do their best to explore options, understand the consequences and unintended consequences and bring the information back to the Planning Commission.

Commissioner Gilbert said that Mr. Wright made some good points and the experts had most likely taken changes in the percentages into consideration. He asked to reconsider his acceptance of the change to the

motion. He restated the motion that the Planning Commission forward a positive recommendation to the City Council to add Chapter 19.27 Village Center Zoning District (VC) to the City's General Plan with no changes to the T zones. Commissioner Pales seconded the motion. Commissioners Pales, Gilbert and Bodily voted in favor, and Commissioners Weaver, Fitzpatrick and Davis were opposed. Since the vote ended in a tie, Chairman Esplin was required to vote, and he voted against the motion. The motion failed.

Chairman Esplin felt that the addition of 19.27 should be continued for two weeks.

Commissioner Pales remarked that if the T4 were reduced to 50%, the T3 would likely already be maxed out, and the percentage would likely go to T5. The T4 disallows many things that would be allowed in T5. He said care needed to be taken with the percentages of the T zones.

Commissioner Davis said he had no concerns with other elements of the code, but he has a concern with the percentages of the T zones.

Commissioner Fitzpatrick moved that the Public Hearing to add Chapter 19.27 be continued to the February 28, 2012, Planning Commission Meeting. Commissioner Davis seconded the motion. Commissioners Weaver, Fitzpatrick and Davis voted in favor of the motion. Commissioners Pales, Gilbert and Bodily voted against the motion. Chairman Esplin was required to break the tie with his vote, and he voted in favor of the motion. The motion passed by a margin of 4 in favor to 3 against.

Commissioner Davis moved to continue the Public Hearing for the zoning change to the February 28, 2012, Planning Commission Meeting. Commissioner Fitzpatrick seconded the motion. Commissioners Weaver, Fitzpatrick and Davis voted in favor of the motion, and Commissioners Pales, Gilbert and Bodily opposed the motion. Chairman Esplin was required to break the tie with his vote, and he voted in favor of the motion. The motion passed by a margin of 4 in favor to 3 against.

Chairman Esplin called for a motion to adjourn the meeting.

Commissioner Pales moved to adjourn the meeting. Commissioner Weaver seconded the motion, and the voting was unanimous.

The meeting adjourned at 9:33 p.m.


Julie Jewell, Planning Commission Secretary