

**LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES  
JUNE 11, 2013**

**MEMBERS PRESENT:** Brian Bodily, Sharon Esplin, Dawn Fitzpatrick, Chad Harward, Gerald Gilbert, Tim Pales, Dave Weaver

**MEMBERS ABSENT:** Wynn Hansen

**OTHERS PRESENT:** Staff Members: Bill Wright, Peter Matson, Julie Jewell, and Councilmembers Jory Francis and Barry Flitton

The Commission asked Staff to look into a situation with trucks staying overnight in the parking lot by the former Hollywood Video store on the southeast corner of Fairfield Road and Gordon Avenue. Staff will report the issue to the Police Department.

City Planner, Peter Matson, presented the Commission with training materials. He said that Assistant City Attorney, Clint Drake, would make presentations to the Commission from the handbooks from time to time.

**PUBLIC HEARING:**

**1. BRIGHTON HOMES REZONE AND DRAFT DEVELOPMENT AGREEMENT– R-1-10** (Single Family Residential) **AND R-M1** (Low/Medium Density Residential) **TO R-1-10 PRUD** (Single Family Residential Planning Residential Unit Development) **AND R-M1 PRUD** (Low/Medium Density Residential Planned Residential Unit Development).

This 5.42 acre property is located at approximately 2100 East Oakridge Drive. The property owners are Brighton Homes Utah LLC represented by Patrick Scott and Chateaux at Oakridge LLC represented by Jared Yeates.

Mr. Matson presented the request for rezone with a draft development agreement. He said Patrick Scott from Brighton Homes was present at the work meeting to answer any questions. He said the property zoned R-M1, had been purchased by Jared and Matt Yeates. The Yeates originally considered had proposed two 24 unit buildings on the western side of the R-M1 property to try to maximize the number of units but avoid the petroleum pipeline easements on the property.

Commissioner Gilbert mentioned the public concerns with the plat for the Chateaux at Oakridge for the apartments.

Mr. Matson pointed out the rezone area, which includes the Yeates' property, Phase 5 of the overall Foothills at Cherry Lane Subdivision, and one lot in Phase 3 of the Foothills at Cherry Lane. He said the two four-plex buildings and the home on the eastern portion of the R-M1 property were not part of the rezone description.

Mr. Matson said the current proposal is an effort by Brighton Homes and Jared and Matt Yeates to resolve a controversial issue with the neighborhood. He said the R-M1 zoning has been on the property for many years. He said Brighton Homes has a contract to purchase 2.83 acres from Jared and Matt Yeates. The Brighton Homes portion of the property is 2.59 acres.

Mr. Matson said the conceptual plan contains 28 single family lots or building pads and shows 17 patio home building lots that will front onto private streets, five lots on a private drive, and six lots on Oakridge Drive.

Community & Economic Development Director, Bill Wright, said the proposed apartments were for about 45 or 46 units. He said the current proposal is a significant reduction in units at 28 units, and the format of a single family lot versus a walk up apartment is a benefit to the property.

Mr. Matson said that the base density with no density bonus could be 48 units over the combined areas. He said the proposal will keep a detached product that will blend in with the neighborhood and be similar to the larger single family homes in the other phases and will cater to smaller families and empty nesters. Mr. Matson said the lots all have the potential to have basements.

Mr. Matson said the base density for the R-1-10 zone in a PRUD is 3.5 units per acre (u/a). With the 2.59 acres, the base density would allow for 9 total units. He said the R-M1 zone has a base density in the PRUD ordinance of 14 u/a and with 2.83 acres the base density would allow for 39 total units. By combining the zones the proposed development could yield 48 total units as a base density. He said the 28 proposed total units is significantly less than what could be allowed in the two zones combined under the PRUD ordinance.

Mr. Matson said most people are appreciative of the efforts of the property owners. He read a statement from an area resident who called the office public expressing concerns that the infrastructure couldn't handle the traffic. He gave the statement to Chairman Esplin to read into the record during the regular meeting.

Commissioners Gilbert and Fitzpatrick expressed concerns with the lots fronting on Oakridge Drive and backing onto Oakridge Drive. Commissioner Gilbert mentioned the traffic and asked if there was any consideration to putting a private street in front of the homes fronting on Oakridge Drive. Commissioner Fitzpatrick suggested hammerhead turnarounds or circular drives. She expressed concerns that if the homes are marketed as patio homes, owners will be older with slower reflexes. Mr. Wright said the homes are a different design than the Ovation Homes and are not being marketed just to seniors.

Mr. Matson said he was not aware of any alternatives for the homes fronting on Oakridge. He said that with the proposal, there would be a connection to Cherry Lane which would not have been provided with the apartment proposal. He said there would be dedication of roadway to widen Oakridge Drive.

Patrick Scott, from Brighton Homes, said they had several two-story plans. All the homes will have three bedrooms and there may be a rambler design with four bedrooms.

Commissioner Weaver expressed concern that several vehicles could be parked per home and asked if parking was allowed on Oakridge Drive. Mr. Matson said parking on Oakridge Drive was allowed except during the restricted winter hours.

Commissioner Bodily asked if there was an alternative. Mr. Scott said that several layouts were explored and the proposed layout is the best design to maximize the property and make a single family development work.

Mr. Wright mentioned that many homes front on Oakridge Drive including one lot of the new Ivory Homes development to the east of the proposed development. Mr. Wright said that in a perfect world, the homes wouldn't front onto Oakridge Drive. However, Oakridge Drive is not an arterial street, so it is not a requirement that no homes front onto Oakridge Drive.

Commissioner Gilbert said he preferred one entrance to facilitate all the homes and said he felt fronting onto Oakridge Drive would be a problem for the safety and welfare of the citizens.

Commissioner Fitzpatrick objected to having the landscape buffer stop on Oakridge Drive. Mr. Matson said the developer chose to put in the landscape buffer on Oakridge Drive but it was not a requirement.

Mr. Wright said it was not a requirement to rear load the homes on Oakridge Drive or to install the fencing and landscape buffer. Brighton Homes chose to do so because of a market issue. What they are trying to resolve with this proposal is a long standing zoning conflict to which the community would like to have a solution. He said the Commission must be careful in saying that an unsafe condition is being created with people backing onto roads because the City has miles and miles of collector streets with homes fronting on the collector streets.

Commissioner Gilbert said he voted for the Ivory development because the homes wouldn't front on to Oakridge Drive. He asked about the fencing between the new area and the properties to the north. Mr. Scott responded that the draft development agreement requires a six foot privacy fence along the property lines.

Mr. Scott said it was not the ideal layout for Brighton Homes to have the homes front on to Oakridge Drive. However, given the shape and easements and the purchase price of the property, which was more than they would normally pay for a similar property, and in order to make the project work and create a single family home community versus the apartments, he said it was important for Brighton to maximize the home yield. He said there was large buffer on the east side where cars won't back out and on the west where it curves, cars will not be backing out. He said there were relatively few locations where the people would be backing out. He said they tried other options, but the lots didn't fit as well. He said another issue is the proximity to the other access of the development on Oakridge Drive.

Commissioners Gilbert asked how many lots would be lost by putting a small private drive in front of the homes on Oakridge Drive. Mr. Scott said they would lose two to three homes. He said the landowners of that part of the proposal feel beaten up badly and are trying to salvage a bad situation. He said Brighton Homes had fought hard to get the price they got. He said the 28 lots are necessary to make the project feasible.

There was a discussion about driveway sharing so that cars could turn and pull out facing forward.

Commissioner Fitzpatrick reiterated that the health and welfare of the individuals who face onto Oakridge Drive must be protected because it is a busy street. She expressed concerns about children playing on Oakridge Drive or the reduced reflex time of older people backing onto Oakridge Drive.

The Commissioners expressed concerns about bumpers hanging over the sidewalk from the driveways. Mr. Scott said there would be a 20-foot setback from the back of the walk to the garage door or 15 feet to a porch. He said they had one plan with a third car tandem garage. He said they are developing two other products for this development. He said with 20 feet, bumpers shouldn't hang over the sidewalk.

Mr. Wright said that undeveloped land on both sides of Oakridge Drive gives people the feeling they can drive faster. He said the development may help to slow traffic.

Mr. Matson reviewed the draft development agreement and said the outside of the homes would have masonry materials with no vinyl siding allowed. Two car garages would be required.

Mr. Scott asked if there could be flexibility on the 1400 square foot requirement for the homes and allow 1200 square feet with the possibility that the basement could be finished. He said they are going through the design process and realistically, there won't be homes as small as 1200 square feet. He said they hadn't had time to do all the market research they needed to do to determine the final square footage of the homes.

Commissioner Fitzpatrick asked if there could be a requirement that any home under 1400 square would be required to have a basement. Mr. Scott said he preferred that the draft development agreement not require a basement in every home in case a buyer does not want a basement.

Commissioner Harward asked about speed signs, and there was a discussion on traffic calming methods. Commissioner Fitzpatrick mentioned the striping on Kayscreek Drive, and Mr. Wright said striping the road is

one of the least expensive traffic calming methods. He said if the travel lane is narrowed, the speed will drop, and striping would make the road look narrower, and as the trees mature, they will have a traffic calming effect.

Commissioner Fitzpatrick suggested that data from Kayscreek Drive be reviewed to see if the striping was effective.

Mr. Matson will add in section 4.3 of the draft development agreement relative to Oakridge Drive improvements and that traffic calming methods would be explored.

Commissioner Harward asked if the decision could be delayed to solidify traffic calming methods.

Mr. Wright explained that there is a time frame issue in vesting into the new zoning before closing on the property. As an effort on behalf of the City, to find a resolution, the City Council, Mayor and City Manager will review the rezone request on the June 27 Strategic Planning Meeting night, since the July 4 City Council meeting was cancelled. Brighton Homes will not proceed to buy this land if the zoning is not approved.

Commissioner Harward asked how the Planning Commission's discussion and concerns could be integrated particularly the traffic slowing techniques. Mr. Wright advised him to make them a part of the recommendation to the City Council.

Mr. Matson said a statement could be added that the Planning Commission would have the opportunity to review traffic calming methods during the preliminary and final subdivision review. He said the draft development agreement commits to 28 lots.

Commissioner Pales reminded the Commission that if the rezone request is not approved, then someone could build the apartments as previously proposed. He said that would be the alternative if the Commission does nothing.

Commissioner Weaver asked why they would be allowed to build three story apartments.

Mr. Matson said there would be a 35-foot height limit and the topography would allow the three story apartment buildings on the west end where they would be visible to the neighborhood.

Mr. Wright said the apartment buildings had to be pushed in the direction of the single family homes because of the pipe line easements. One of the compatibility issues was the mass and height of the buildings compared to the single family homes.

Commissioner Weaver said the future residents of Layton should be given the best opportunity and asked again why the apartment buildings would be three stories.

Mr. Wright said the three-story apartment buildings are allowed in the R-M1 zone and the owners are vested. Mr. Matson said it is a height that would be allowed in the R-M1 zone.

Commissioner Pales said that in the R-1-10 piece, the way it is currently configured, some homes would still have to front on Oakridge Drive.

Mr. Wright said that at one time an opportunity existed for townhomes, but it was still a compatibility issue. The blending of the R-M1 PRUD and R-1-10 PRUD was explored as a more compatible solution. While it would be a different market niche than what Brighton has experienced, it will provide a broader range of single family detached options.

**PUBLIC REVIEW:**

**2. EVERGREEN FARMS PHASE I – FINAL APPROVAL**

This 19.01 acre property is located at the northeast corner of Layton Parkway and 2200 West in an R-S (Residential Suburban) zoning district. The applicant and owner, The Adams Company, represented by Dave and Stuart Adams, is proposing 48 single family residential lots.

This item was not discussed due to lack of time.

**3. FERNWOOD PLACE – FINAL APPROVAL**

This 1.91 acre property is located at approximately 3200 East Fernwood Drive in an R-S (Residential Suburban) zoning district. The applicant and owner, Colin Brown, is proposing five (5) single family residential lots.

Mr. Matson explained that although the preliminary approval for this subdivision occurred in 2009, the preliminary approval didn't expire because the developer submitted and resubmitted for final approval.

**4. OLD FARM AT PARKWAY PHASE 2 – FINAL APPROVAL**

This 6.88 acre property is located at approximately 815 West Layton Parkway in an R-1-8 (Single Family Residential) zoning district. The owner, Owen Fisher, represented by Phil Holland of Henry Walker Homes, is proposing 22 single family lots.

This item was not discussed due to lack of time.

  
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Julie Jewell, Planning Commission Secretary

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**MEMBERS ABSENT:** Wynn Hansen

**OTHERS PRESENT:** Staff Members: Bill Wright, Peter Matson, Clint Drake, Julie Jewell, and Councilmembers Jory Francis and Barry Flitton

Planning Commission Chair, Sharon Esplin, called the meeting to order at 7:09 p.m.

The Pledge of Allegiance was recited, and an invocation was given by Commissioner Weaver.

**APPROVAL OF THE MINUTES:** Chairman Esplin called for a motion to approve the May 14, 2013 Planning Commission and Work Meeting Minutes. There were no additions or corrections to the minutes. Commissioner Weaver moved to accept the minutes as written. Commissioner 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 Bodily seconded the motion, and the voting was unanimous.

**PUBLIC HEARING:**

**1. BRIGHTON HOMES REZONE AND DRAFT DEVELOPMENT AGREEMENT– R-1-10** (Single Family Residential) **AND R-M1** (Low/Medium Density Residential) **TO R-1-10 PRUD** (Single Family Residential Planning Residential Unit Development) **AND R-M1 PRUD** (Low/Medium Density Residential Planned Residential Unit Development).

This 5.42 acre property is located at approximately 2100 East Oakridge Drive. The property owners are Brighton Homes Utah LLC represented by Patrick Scott and Chateaux at Oakridge LLC represented by Jared Yeates.

City Planner, Peter Matson, said Planner II, Kem Weaver was on vacation, but that he had prepared the agenda items.

Mr. Matson presented the request to approve a draft development agreement with the rezone of 5.42 acres on the north side of Oakridge Drive at approximately 2100 East. He said the property would be accessed through a stub street access through the Foothills at Cherry Lane being developed by Brighton Homes, which also has access off Oakridge Drive.

Mr. Matson said the rezone area covers a lot in Phase 3 of Foothills at Cherry Lane and all of the future Phase 5 of the Foothills at Cherry Lane Subdivision (2.59 acres) and 2.83 acres of property located to the east presently owned by Jared and Matt Yeates. An adjacent property owned by the Yeates contains two four-plex buildings and a home on a flag lot. The vacant 2.83 property will be combined with the 2.59 acres for rezoning. The portion owned by the Yeates is zoned R-M1 (low/medium density), and the Brighton Homes property is zoned R-1-10. The underlying R-M1 and R-1-10 zoning will be left in place with a PRUD overlay added for a total rezoning of 5.42 acres.

Mr. Matson said the conceptual plan contains 28 single family lots or building pads and shows 17 patio home building lots that will front onto private streets, five lots on a private drive, and six lots on Oakridge Drive.

Common area constitutes approximately 37 percent of the area and will be maintained as landscaped open space, which is the open space for the PRUD in the R-1-10 and R-M1 base zones.

Mr. Matson said with this PRUD covering two zoning districts, there are two different based densities. The R-1-10 zone has a density of 3.5 units per acre. With the PRUD overlay, there could be up to a 40 percent density bonus. He said the base density in the R-M1 zone is 14 per units per acre with a 40 percent density bonus possible. To avoid the possibility of the three-story apartments and blend the two housing types into a smaller lot single family project, there will be 28 lots providing an overall density of 5.16 units per acre. Mr. Matson said that the east side of Layton has a General Plan recommendation for low density 2-4 units per acre typically produced by the R-1-8, R-1-10, and R-S zones. Although the density falls outside the 2-4 units per acre, it is much more in harmony with the General Plan than a multi-family development. The overall Foothills at Cherry Lane Subdivision combined with R-1-10 PRUD and R-M1 PRUD zoning would yield 3.08 units per acre, which is within the guidelines of the City's General Plan.

Mr. Matson reviewed points of the draft development agreement from Article 4, Owner's Undertakings, to be approved with the rezone. He said all lots and units must be single family detached and no more than 28 lots will be allowed. The streets will be private streets that must meet City standards for private streets. Mr. Matson explained the standards for private streets and lanes. He said street dedication, widening and other improvements will be required along Oakridge Drive.

Mr. Matson said that based on a discussion during work meeting about the concern for traffic speeds on Oakridge Drive, a section will be added that traffic calming techniques for the section of Oakridge Drive adjacent to this project be explored during the PRUD conceptual and preliminary review processes.

Mr. Matson said a six-foot vinyl fence would be required along the periphery of the west, north and east boundaries. He said architectural materials would be similar to the Foothills at Cherry Lane project with no vinyl siding and a maximum height of 30 feet. Each home would have a two-car garage. The square footage of 1400 square feet does not include the garage or basement, however, the applicant is still in the design stage and may have a need for a 1200 square foot floor plan in some cases, although it is not anticipated. The Commission recommended that 1200 square foot homes be required to have a basement.

Mr. Matson said City ordinance requires a general landscape plan with a detailed plan submitted prior to final approval. The plan for this property would require a design of the open space over the petroleum pipeline easement area. He said the draft development agreement states that every reasonable effort must be made to keep the trees located on the northeast portion of the property.

Mr. Matson said the Home Owner's Association (HOA) must be managed by a professional management entity or Brighton Homes Utah. The City would be a member of the HOA so that they would have a vote if ever the HOA wanted to disband.

Mr. Matson reviewed the previously proposed building configuration for two 24-plex buildings and compared the layout to the current proposal for 28 single family homes.

Mr. Matson said Staff is recommending that the Planning Commission forward a positive recommendation to the City Council to approve the rezone from R-1-10 and R-M1 to R-1-10 PRUD and R-M1 PRUD with the associated draft development agreement and additions discussed in the Work Meeting.

Commissioner Weaver asked if the property would have secondary water. Mr. Matson said the property would have Kayscreek Irrigation, and lines would be shown on subsequent drawings.

Commissioner Fitzpatrick asked if the structure next to lot 109 would be removed. Mr. Matson said it would be removed.

Commissioner Harward asked for specifics on traffic slowing methods. Commissioner Weaver asked about the speed limit on Oakridge Drive, which Mr. Matson said was 30 miles per hour. He said one of the lots of Oakridge Estates will front on Oakridge Drive, and he said many homes front on Oakridge Drive, and the landscaping improvements for these homes provides traffic calming. Mr. Matson explained traffic calming methods such as the replacement of open space with homes and mature street trees as well as striping such as done on Kayscreek Drive, which slows people down and helps them to understand they have a constrained location. Staff will check on Police Department data from Kayscreek Drive before and after striping to determine if it is effective. He said the Design Review Committee would be involved with the traffic calming measures as well as they make a recommendation to the Planning Commission.

Commissioner Gilbert asked Mr. Matson to identify the zoning in the area, which he said was primarily R-1-10. Commissioner Gilbert asked if the pipeline continues south across Oakridge Drive into an open parcel. Mr. Matson said that it did continue in that direction through the Barlow family property. Commissioner Gilbert asked if that would leave the property open to be rezoned to R-M1. Mr. Matson said that patio homes have been contemplated by the property owner but the constraints are quite high. Layton City Engineering wants a public road through that section to connect with Gordon Avenue when it is extended. He said getting a reasonable design on the property is challenging. This property is not, nor is it anticipated to be, zoned R-M1.

An audience member, Brad Eggington, 2245 East Cherry Lane, said he was opposed to building homes in the area because he felt the infrastructure wasn't adequate to handle additional traffic.

Chairman Esplin asked Mr. Eggington if he realized the property was already zoned R-M1, which would generate even more traffic than what was proposed. Commissioner Gilbert said the property had been zoned R-M1 as far back as when the property was in East Layton City. He said the proposal is an alternative to the apartments that were proposed.

Mr. Eggington asked if the R-M1 could be retracted. Chairman Esplin said that changing the zoning from R-M1 is the process currently before the Commission to find a zoning that is mutually agreeable to the property owners and to the buyers. He said Brighton Homes is willing to buy the property and combine it with their adjacent properties that are already platted to protect the value of those properties.

Commissioner Gilbert reiterated that the R-M1 zoning is already approved and 45 apartments could be built on the property with three story buildings up to 35 feet in height. He said the proposal is an alternative to this scenario, which is why the rezone is before the Planning Commission for review and recommendation to the City Council.

Councilmember Barry Flitton, 2660 East 1700 North, Layton, Utah, said there had been a meeting at the East Layton Elementary School approximately a month previous during which 60-70 residents approached the owners of the R-M1 zoned property, Jared and Matthew Yeates and asked them to "do what is right" and not put the apartments at that location. He expressed accolades to the Yeates and Brighton Homes for coming together and addressing the neighborhood concerns about the apartments, since the proposal is not financially beneficial to either party. He felt they had gone the extra mile for the community and the neighbors.

Assistant City Attorney Clint Drake clarified that the meeting at the elementary school was not a City sponsored meeting and was a meeting of the developers and property owners.

Patrick Scott from Brighton Homes said his company was excited about the project and said they feel like they can build a nice product in the neighborhood. He said that it will be a well maintained neighborhood that East

Layton residents will be proud of. He said the architectural designs haven't been finished but per the draft development agreement some of the homes could be 1200 square feet but most likely will be 1400 to 2400 square feet of finished space plus the basement.

Chairman Esplin said the draft development agreement had been modified to allow for 1200 square foot homes to provide the developer some flexibility, but 1200 square foot homes will be required to have basements.

Mr. Eggington asked the size of the homes in the current Foothills at Cherry Lane Subdivision, and Mr. Scott said the homes were 1800 square feet and up to 5400 square feet if the basement is finished.

Mr. Eggington asked if there could be larger homes instead of smaller homes, which he felt would have a negative economic impact.

Commissioner Pales reminded Mr. Eggington that if nothing was done to change the zoning, the 45 apartment units could be built on the property. The proposal is an alternative to the apartments.

Mr. Eggington asked again for larger homes. Mr. Scott said a variety of layouts had been explored to maximize what could be built on the property. He said there were 55 units proposed on the same space and the current proposal is for 28 units, which is a dramatic reduction in density. He said in order to accommodate the reduction in density, he felt the proposal was a good balance to what will sell and add value to the neighborhood. He said they could not have less density and make the project work.

Councilmember Jory Francis, 230 North 2975 West, said he supported the proposal. He said he has heard it said not to let the perfect be the enemy of the good. He felt the alternative to the current proposal would be an unmitigated disaster. He said he would take the small pitfalls to the Council and work with Staff in the meantime to make sure the pitfalls are addressed to make the project work. He said he knew the property was under contract and if the Planning Commission would move forward with the rezone, he would help to mitigate the issues.

Eric Fox, 1760 East 1150 North, said that while he would like to see R-1-10 zoning, what is being proposed is definitely an improvement over the previous proposal. With those being the neighborhood's two options, he said he would be supportive of what is currently being proposed. He asked that the Council and Planning Commission mitigate the traffic effects of the road. He said his back yard is against the road, and the things he heard suggested were not going to decrease the volume. He asked that something be done in future planning to lead some of the traffic off Oakridge Drive to reduce the pedestrian and car traffic around the schools. He thanked Brighton Homes and the Yeates for working together to bring a better proposal for the neighborhood.

Commissioner Gilbert said that when Gordon Avenue is extended to Highway 89, it would help the traffic flow. He also said he was not happy with the homes fronting on Oakridge Drive. He said because of the time constraints, had the rezone not been recommended by Councilmembers, he would have voted against it. He asked if there could be a percentage of 1200 square foot homes specified as in a previous development. He also asked if a configuration could be explored so that homes wouldn't front on Oakridge Drive.

Commissioner Fitzpatrick echoed Commissioner Gilbert's comments and said health and safety is what is taken into consideration. She said alternatives should be explored for homes not to front on Oakridge Drive and if none are found, the City will have to take measures to make Oakridge Drive safer. She said the situation was not ideal but felt it was better than apartments next to large homes. She felt the PRUD would give opportunity to make the development blend into the neighborhood.

Lisa McBride, 2180 Oakridge Drive, said her major concern was with homes facing Oakridge Drive. She said she put in a turn through drive to be able to access Oakridge Drive. She said visitors park on the street. She mentioned the blind curves and speed as a cause of accidents. She said she was happy with the patio homes but concerned with those fronting on Oakridge Drive.

Commissioner Fitzpatrick asked if driveways could be shared with a turnaround to come out on Oakridge Drive.

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

Chairman Esplin called for a motion on the item.

Commissioner Harward moved that the Planning Commission forward a positive recommendation to the City Council to adopt Ordinance 13-16 approving the rezone from R-1-10 and R-M1 to R-1-10 PRUD and R-M1 PRUD based on consistency with the General Plan recommendations for single family residential in this portion of the City and subject to the attached draft development agreement to include the recommendation that Layton City make extensive efforts to create traffic slowing methods on Oakridge Drive to maximize traffic safety. Commissioner Weaver seconded the motion, which passed 4-2 with Commissioners Fitzpatrick, Harward, Pales and Weaver voting in favor and Commissioners Bodily and Gilbert opposed.

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 Fitzpatrick seconded the motion, and the voting was unanimous.

## **PUBLIC REVIEW:**

### **2. EVERGREEN FARMS PHASE I – FINAL APPROVAL**

This 19.01 acre property is located at the northeast corner of Layton Parkway and 2200 West in an R-S (Residential Suburban) zoning district. The applicant and owner, The Adams Company, represented by Dave and Stuart Adams, is proposing 48 single family residential lots.

Mr. Matson presented the request for final approval for Phase I of Evergreen Farms located at the northeast corner of 2200 West and the future extension of Layton Parkway. He showed the layout of the 48 lots on 19.01 acres. He said that from the preliminary approval, the roundabout at the entry has been eliminated. Previous versions had Foxtail Drive as a cul-de-sac, but due to guidelines for maximum block lengths, the street had to be connected through to White Pine Drive. He said that memos from the Engineering Department indicate the designs are approved with corrections required prior to the pre-construction meeting.

Mr. Matson said Staff is recommending the Planning Commission forward a positive recommendation to the City Council to approve the final plat for Evergreen Farms Phase 1 subject to meeting all Staff requirements as outlined in Staff memorandums to the applicant.

Commissioner Fitzpatrick asked if access to the subdivision will access off 2200 West until Layton Parkway is extended. Mr. Matson replied in the affirmative. Commissioner Fitzpatrick asked about the extension of Layton Parkway with the development of Roberts Farms 8 and Kennington Parkway. Mr. Matson said the developers would construct half the width of Layton Parkway with two travel lanes. Street lighting is installed whenever frontage on Layton Parkway is developed.

Commissioner Weaver asked about secondary water for Evergreen Farms, and Commissioner Fitzpatrick pointed out a note in the Engineering memo that drawings are required for secondary water, which is Kayscreek Irrigation.

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

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 approve the final plan subject to meeting the

requirements in Staff memorandums and the Planning Commission discussions. Commissioner Weaver seconded the motion, and the voting was unanimous.

### **3. FERNWOOD PLACE – FINAL APPROVAL**

This 1.91 acre property is located at approximately 3200 East Fernwood Drive in an R-S (Residential Suburban) zoning district. The applicant and owner, Colin Brown, is proposing five (5) single family residential lots.

Mr. Matson said since preliminary approval was granted in 2009, the developer has kept the project active with final plat submittals and corrections and responses to geotechnical report studies to make sure notes and requirements on the plat are accurate.

Mr. Matson said the development consists of five single family lots with four lots accessed from the lower portion of the property. Lot 3R will access off Fernwood Drive with a private drive. Lots 2R and 3R are labeled as restricted due to specific requirements regarding geotechnical and topographical issues that must be mitigated before building on the lots. Lot 2R has an easement for a rock wall berm to be constructed to detain any debris if the wall fails. He said there is a Weber Basin easement through the property. He said the dashed line is the estimated or mapped location of the Wasatch Fault. The setback requirements from the fault for buildable areas will be established based on final basement depth.

Mr. Matson said there is a private lane to the existing home, which will be widened to 26 feet to City standard. The new homes will need to be fire sprinkled.

Mr. Weaver said that based on this information and the specifics in the geotechnical report, Staff memos, and notes on the plat, Staff recommends the Planning Commission forward a recommendation to the City Council to approve the final plat subject to meeting all Staff requirements as outlined in Staff memorandums to the developer.

Commissioner Fitzpatrick asked if Lot 4 will join the Home Owner's Association.

The property owner and developer, Colin Brown, 3193 Fernwood Drive, said that Lot 4 contains the existing home and all five will be in the Home Owner's Association. He said Lot 5 contains a garage that will be demolished.

Commissioner Fitzpatrick addressed Mr. Drake and stated she was not on the Planning Commission when Fernwood Springs received preliminary approval. She said she had concerns with some of the lots and asked if she should abstain or vote negative. Mr. Drake said it was her choice.

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

Chairman Esplin called for a motion on the item. Commissioner Pales moved that the Planning Commission forward a positive recommendation to the City Council for final plat approval subject to meeting all Staff requirements. Commissioner Harward seconded the motion, which passed by a margin of five to one with Commissioners Bodily, Gilbert, Harward, Pales and Weaver voting in favor and Commissioner Fitzpatrick opposed.

### **4. OLD FARM AT PARKWAY PHASE 2 – FINAL APPROVAL**

This 6.88 acre property is located at approximately 815 West Layton Parkway in an R-1-8 (Single Family Residential) zoning district. The owner, Owen Fisher, represented by Phil Holland of Henry Walker Homes, is proposing 22 single family lots.

Mr. Matson presented the request for final approval for Old Farm at Parkway Phase 2. He pointed out Phase I and said the homes are being built by Henry Walker Homes. Phase 2 is zoned R-1-8 and will have 22 lots on 6.88

acres. He said lot sizes range from 8,000 to 15,500 square feet with each lot meeting the minimum requirements regarding frontage, lot size, setbacks and buildable areas for the R-1-8 zone. He said Kays Creek affects lots 220-222, which are restricted due to requirements to meet FEMA approvals before building permits can be issued. He said there was a Kayscreek Trail easement on the rear of the lots.

He said the associated annexation agreement has a requirement for an eight-foot wall the same as the wall on the north side of Layton Parkway. The agreement specifies landscaping installation and maintenance requirements and there are also guidelines associated with the location of Kayscreek Trail.

Mr. Matson said the Engineering report states the development is approved as corrected with corrections to be resubmitted, reviewed and marked approved before the pre-construction meeting. He said the Engineering memo on Page 2 indicates FEMA is in the process of surveying, establishing and adjusting the flood plain along the Kayscreek channel. He said a memo from Planner II, Kem Weaver, states how the trail will be located in relationship to the top of the creek bank and the lots. He said the trail will have to be shifted to the south to stay out of the buildable area of the lots.

Mr. Matson said Staff recommends the Planning Commission forward a positive recommendation to the City Council to grant final approval to Old Farm at Parkway Phase 2 subject to meeting all Staff requirements.

Commissioner Fitzpatrick asked about the distance from the trail to the buildable area on the lots adjacent to the creek.

Mr. Matson said the lots in Old Farm at Parkway are deeper than the lots at Weaver Meadows where the closeness to the trail occurs. He said the easement is to be 20 feet from the north edge of the creek bank and the trail will be in the easement. He said the drawing must be shifted so the trail is outside the buildable area.

There were no other questions or comments from the Commission or 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 grant final approval subject to the applicant meeting all Staff requirements as outlined in Staff memos. Commissioner Harward seconded the motion, and the voting was unanimous.

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

The meeting was adjourned at 8:30 p.m.

  
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Julie Jewell, Planning Commission Secretary