

**LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES  
JUNE 25, 2013**

**MEMBERS PRESENT:** Sharon Esplin, Dawn Fitzpatrick, Wynn Hansen, Chad Harward, Gerald Gilbert, Dave Weaver

**MEMBERS ABSENT:** Brian Bodily, Tim Pales

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

City Planner, Peter Matson, announced that this meeting will be Chairman Esplin's last meeting and that there would be presentation at the regular meeting in his behalf.

**PUBLIC HEARING:**

**1. LAYTON CITY – ORDINANCE AMENDMENT**

Amending the Temporary Turnaround Ordinance – Title 18 Chapter 18.24 Section 18.24.070 and Title 19 Chapter 19.07 Section 19.7.120 and Appendix 7 – Ordinance 13-17.

Planner II, Kem Weaver, explained the current temporary turnaround ordinance, which requires that the developer of a property more than 150 feet from an intersection must create a temporary turnaround either on adjacent property with road base or an asphalt turnaround within the subdivision, which would encroach into one or two lots. The developer was required to bond for the removal of the turnaround and straightening of the road, however, with the downturn turn in the economy, some of the bonds are no longer in existence. It was felt that new property developers shouldn't be required to remove the temporary turnarounds that do not reside on their property.

To solve the temporary turnaround issue, Mr. Weaver said a draft ordinance had been prepared with guidelines from the Engineering Division standards and Fire ordinance. See attached draft ordinance with changes highlighted in red.

Commissioner Fitzpatrick expressed concerns about increased cost to homeowners if homes have to be sprinkled. Community and Economic Development Director, Bill Wright, said the developer would always have an option not to proceed with a phase of a subdivision creating lots more than 150 feet from an intersection. The developer may also design the overall subdivision differently to avoid the situation. He said such decisions could be based on the market.

**2. LAYTON CITY – ORDINANCE AMENDMENT**

Amending Title 19 Chapter 19.12 Section 19.12.050 -- Parking Space for Commercial, Industrial and Institution uses and amend the parking requirement to add a category and parking requirements for home improvement stores and warehouses – Ordinance 13-06.

Peter Matson, City Planner, presented the ordinance amendment, which is a continuation of a review the Planning Commission did in March for a proposed amendment to the City's parking ordinance to add a category in the list of uses for a "home improvement store/warehouse over 40,000 square fee" as well as for a home and garden center.

Mr. Matson said the applicant is Net3 Real Estate, represented by Matt Friedman who was present at the meeting. Mr. Matson said Matt and his company have been working with Lowe's at the Layton site to explore the possibility of a retail pad on the northeast corner of the Lowe's parcel.

Mr. Matson said the current guideline for any retail store is a one parking space for every 200 square feet of net floor area or five parking spaces per 1000 square feet of net floor area. Storage and restroom area and other non-retail square footage are removed to calculate the net floor area.

Mr. Matson said the ordinance amendment proposes a ratio based on the gross floor area. He said Hales Engineering has performed an analysis and is requesting two parking stalls for every 1,000 square feet of gross floor area plus one parking stall for every 1,000 square feet of garden center area.

Mr. Matson said the Hales Engineering data was originally gathered during the fall months, which caused the Commission to question the accuracy of the data with it not being done during the peak months. A new study was done in May by Hales Engineering as well as by the Layton City Engineering Division during that peak time period.

Mr. Matson said two parking stalls for every 1,000 square feet of gross floor area plus one parking stall for every 1,000 square feet of garden center area provides for a surplus of 87 parking stalls on the site. This includes stalls occupied with not only vehicles but also outdoor storage.

Mr. Matson quoted the proposed ordinance amendment as follows for Home Improvement Retail (40,000 square feet and greater): Two and one half (2.5) spaces per 1,000 square feet of gross floor area, plus one space per 1,000 square feet of gross floor area for an associated seasonal garden retail area. He said this option would yield a surplus of 23 stalls. He said Staff feels that this option is not a dramatic a shift as the current ordinance parking requirement and Staff's recommendation is that the Planning Commission forward a positive recommendation to the City Council to adopt ordinance 13-06 requiring two and one half (2.5) spaces per 1,000 square feet of gross floor area, plus one space per 1,000 square feet of gross floor area for an associated seasonal garden retail area. Staff encourages also leaving open to discussion the applicant's request to allow two parking spaces per 1,000 square feet of gross floor area, plus one space 1,000 square feet of gross floor area for an associated seasonal garden retail area.

Ryan Hales from Hales Engineering spoke about the study done on the property by his engineering firm. (See Mr. Hale's attached presentation.)

He said his conclusions would be a recommendation for a home improvement store and garden center of 2.0 stalls per 1,000 square feet, together with the out parcels, with a surplus of 87 stalls.

Mr. Matson asked for clarification on the calculations of the 34 stalls required for the out parcel with stalls removed by that building and then replaced with the construction of the building and site. Matt Friedman, the developer, said it would be a net loss of 50 stalls and Mr. Hales agreed.

Commissioner Weaver asked for an explanation of average demand. Mr. Hales said someone is sent out to count the stalls every hour of the day from 6:00 a.m. to 11:00 p.m. As they count the stalls, they added up the numbers for each hour and divided them by the number of hours. This takes out the peaks and valleys.

Commissioner Hansen asked how many stalls are along the west side of the site. Mr. Hales said there were 25 stalls and 37 stalls by the loading zone. He asked if the ratio was 2.5 per 1000 square feet net floor area, if there would be a 23 stall surplus.

Mr. Matson referred to the last table on Page 4 of the staff report, which explains how the surplus stalls were calculated.

There was a discussion of where customers would park and the convenience to the Lowe's building. Mr. Friedman said employees park along Antelope Drive, which makes the lot look busier. He said Lowe's is selling his company the property and he understands what needs to happen on the lot. He said they would put the customers first.

Commissioner Fitzpatrick said the ordinance amendment will also affect Home Depot and wondered if the ordinance really needed to be changed or if a variance could be offered. Mr. Wright said a variance wouldn't be possible because a hardship would have to be proved and five items of criteria met. The request wouldn't meet the State or City code for a variance. He said this is why the research and analysis had been done, which found that the City ordinance is in excess of demand of what corporations need for this type of use. He said Staff agrees that the current ordinance for this type of use is in excess.

Commissioner Fitzpatrick asked if there would be enough parking for the type of use planned for the parcel. Mr. Matson said the estimate was done of retail space parking requirements. He said a fast food restaurant would not be possible. Mr. Wright said possibly a very small restaurant would work. He said restaurants tend to use a lot of parking spaces.

Mr. Wright said the proposed change seems like a balance of the right number of parking stalls, not excessive in parking but providing a back stop. He said it had been proven through analysis that there would be 23 excess parking stalls with the 2.5 ratio and 87 with the 2.0 ratio. Mr. Wright said that if corporately, Lowe's becomes more client driven and retail sales increase, they can decide if they want to store multiple sheds or to provide more parking for their customers.

Commissioner Hansen said that it may be good to put in another pad and provide business to the City. However, if parking becomes inconvenient it may push shoppers to other cities. Commissioner Harward said he'd rather spend a couple of extra minutes to find a parking space than to drive to another city. He said when people are destination shoppers, they are committed to getting what they need.

Commissioner Harward said a priority would be to maximize the City's tax base. He felt the proposal was a good way of leveraging and repurposing resources without having to find more commercial space.

There was a discussion about the future possibility of analyzing parking for other big box stores in the future.

There was a discussion regarding turning left out of Lowe's parking lot with Commissioner Fitzpatrick expressing her concerns about safety and cueing.

Mr. Hales said an evaluation of the intersection had been done and the majority of the time, a vehicle can turn left. He said light timing would help.

Commissioner Fitzpatrick asked about the restructuring of the Antelope Drive interchange, which Mr. Wright said would move traffic through and improve traffic on the side street.

Mr. Wright said the proposed ordinance change falls in the arena of the efficiency of land use and being more efficient on how the land is used. He said the parking requirement has been excessive in the past.

**PUBLIC REVIEW:**

**3. JARED & MATT YEATES – PARCEL SPLIT**

This 1.95 acre parcel is located at 2078 East Cherry Lane in an R-S (Residential Suburban) zoning district. The applicants and owners, Jared and Matt Yeates, are proposing two parcels.

Mr. Matson presented the request for a parcel split stating that a rezone from R-1-10 to R-S was approved four years prior to restore animal keeping rights previously on the property. He said the Yeates have purchased the property and will build a home on the rear lot. He said the staff portion of the flag lot would be along the petroleum pipeline easement.

Due to the length of the staff portion of the flag lot and setback from Cherry Lane for the new home, the applicant can either install a hammerhead turnaround or install an approved fire suppression system for the home. The applicant has decided on the fire suppression system. Mr. Matson said no improvements will be required for Cherry Lane.

There was a discussion on the reason for the fire suppression system, which won't put out the fire but will allow occupants to exit. Mr. Wright said the length of the roadway would require either the turnaround or the fire suppression system.

Commissioner Hansen asked if the circular drive in front of the property would be closed off. Mr. Wright said it will be a joint access for both lots.

**4. CRIMSON CORNERS PHASES 3 & 4 -- PRELIMINARY APPROVAL**

This 11.743 acre property is located at approximately 275 North 3400 West in an R-S (Residential Suburban) zoning district. The applicants and owners, Duane and Wayne Johnson, are proposing 25 single family residential lots.

Mr. Weaver was asked if a reasonable home could be built on Lot 405 with proper setbacks. He said a rambler or a two-story home could fit on the lot.

Mr. Hansen said that with regard to cul-de-sac lots, a reasonable buildable area needs to be there to match the remainder of the development.

**5. WEAVER MEADOWS PHASE 4A – FINAL APPROVAL**

This 1.97 acre property is located at approximately 500 West 650 South in an R-1-8 (Single Family Residential) zoning district. The applicant and property owner, Perry Homes, represented by Jeff Taylor, is proposing 7 single family residential lots.

This item was not discussed due to lack of time.

**6. SWAN CROSSING – PRELIMINARY APPROVAL**

This 6.022 acre property is located at approximately 2700 West Gordon Avenue in an R-S (Residential Suburban) zoning district. The applicant and property owner, Blake Hazen is proposing 13 single family residential lots.

This item was not discussed due to lack of time.

  
Julie Jewell, Planning Commission Secretary

**LAYTON CITY PLANNING COMMISSION MEETING MINUTES  
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**MEMBERS ABSENT:** Brian Bodily, Tim Pales

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

Chairman Esplin called the meeting to order at 7:04 p.m. The Pledge of Allegiance was recited and an invocation given by Commissioner Hansen.

A Boy Scout from Troop 504 was recognized for being present at the meeting for his Citizenship in the Community merit badge requirement.

**APPROVAL OF THE MINUTES:**

Chairman Esplin called for a motion to approve the June 11, 2013, Planning Commission and Work Meeting Minutes. There were no additions or corrections to the minutes. Commissioner Harward moved to approve 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 Hansen seconded the motion, and the voting was unanimous.

**PUBLIC HEARING:**

**1. LAYTON CITY – ORDINANCE AMENDMENT**

Amending the Temporary Turnaround Ordinance – Title 18 Chapter 18.24 Section 18.24.070 and Title 19 Chapter 19.07 Section 19.7.120 and Appendix 7 – Ordinance 13-17.

Planner II, Kem Weaver, said Layton City has initiated an ordinance amendment to address temporary turnarounds at the end of stub streets in developments. In preparing the ordinance, Layton City met with developers who develop in Layton City on a regular basis.

Mr. Weaver said the temporary turnaround is required when a stubbed street is extended more than 150 feet from an intersection. The current system of requiring the developer to bond for the removal of the temporary turnaround when the street is eventually extended is problematic. In some cases the bond has been released and there is no financial source to remove the temporary turnaround when new development occurs adjacent to the street with the temporary turnaround. In addition, a fairness issue arises if the developer extending the street right-of-way is encumbered to remove the temporary turnaround at his or her cost.

Mr. Weaver said ordinance 13-17 proposes three alternatives in dealing with temporary turnarounds in the City. The first option for developers to use for a temporary turnaround is to ask for an easement on an adjacent undeveloped piece of property to install a temporary turnaround at the end of a dead end street. The temporary turnaround would require a minimum of road base surfacing.

The second option is to require the developer to phase the development to where a stubbed street is not longer than either 150 feet or two residential lots. If phasing the development with this requirement is difficult, then the stubbed street can extend further than 150 feet or two residential lots. However, the residential units in this situation will be required to install fire suppression systems.

The third option will allow for a temporary turnaround on the developers property as part of the street right-of-way and a neck for the connection of a future street right-of-way extension. The temporary turnaround becomes permanent and residential lots fronting onto the turnaround will have to be designed with the turnaround being permanent and the lots meeting front setbacks. Mr. Weaver said this option will be considered as a last resort if the first two options cannot be utilized.

Mr. Weaver said Staff recommends that the Planning Commission forward a positive recommendation to the City Council based on the changes outlined in red as part of the draft ordinance. (See attached draft Ordinance 13-17.)

Commissioner Weaver asked if there had been any success with asking an adjacent property owner to give up an easement for a temporary turnaround. Mr. Weaver said that in most cases, the developer owns the adjacent property. He said there had been a few instances where the adjacent property owner has cooperated and offered an easement.

A member of the audience, Brad Hill, 240 North 3475 West, said his home is on one of the cul-de-sacs where the street will continue through. He felt that option three would create an opportunity for traffic to come down the street and turn around. His concerns were for the safety of children. If Option 3 was used, he felt the bulb shouldn't be left in the road. He objected to homeowners having to bear any costs.

Commissioner Hansen said the purpose of the turnarounds was for the Fire Department to be able to turn around in the event of fire.

There was a discussion about the type of turnaround used and who would pay for the removal of the turnaround. Community & Economic Development Director, Bill Wright, said it is a very difficult practice to change the built environment. He explained that some of the bonds being held for the removal of the turnaround were absorbed by banks that failed and were holding the escrow. Some were released when there was no knowledge that a retainer was supposed to stay. He said that some turnarounds were built with asphalt, curb and gutter but no sidewalk. The developer has a choice in the subdivision design if Option 3 is the best option. He said if Option 3 with the bulb in the road is used during the subdivision process, then it will be complete with sidewalk along the frontage of the property, the driveway will be at the correct grade, and the house will be set back at the required front yard setback. He said he didn't think it likely that very many people will drive down the street just to do a u-turn although some may.

Mr. Wright said the Engineering Division and the City are exploring the options for removal on a case by case basis.

Mr. Hill expressed concerns about dead ending a sidewalk, and Mr. Wright advised him to contact Woody Woodruff, the City Engineer, with his concern. He encouraged Mr. Hill to address his specific case with Mr. Woodward to explore his options and state his preferences. The ordinance amendment is to prevent this from happening in the future.

There was a discussion regarding the bonds and the developers' responsibility for restructuring the temporary turnarounds. Commissioner Gilbert felt the developers should be made to be more accountable.

Mr. Wright said that the amended ordinance is proposed to make sure the temporary turnaround issues don't continue. He said that some of the turnarounds were put in up to 10 years before the next property developed.

The developer may no longer be in business and the bond may not be enough to remove and restructure the temporary turnaround.

Commissioner Hansen said he recognized that the third option is not the most desirable and there needs to be accommodations for emergency vehicles. He said the City must protect homeowner who acted in good faith thinking he would be protected and his situation resolved.

Commissioner Fitzpatrick asked if Option 3 would create lots that would be unbuildable to fit the neighborhood with the additional setback. Mr. Wright said the Planning Commission and City Council do not have to accept a situation of using Option 3 in a development is there if a good reason not to do so.

Commissioner Fitzpatrick asked how far back the home would have to be set with Option 3. Mr. Weaver said the home would have to be set back an additional 15 feet from the required set back.

There were no other questions or comments.

Chairman Esplin called for a motion on the item. Commissioner Gilbert asked if a recommendation could be submitted to the City Council that some consideration be taken to do the improvements for the current property owners. Mr. Wright said a recommendation could be made to adopt the ordinance and express desires.

Commissioner Hansen moved that the Planning Commission forward a positive recommendation to the City Council approve Ordinance 13-17 with the recommendation that a method be established to resolve temporary turnaround situations that currently exist in the City where the cul-de-sacs exist and needs to be corrected. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

## **RECOGNITION OF SHARON ESPLIN'S SERVICE TO THE PLANNING COMMISSION:**

Mayor Steve Curtis presented Chairman Esplin with a clock in appreciation for nine years of service on the Layton City Planning Commission.

Chairman Esplin said it had been a pleasure to serve the City of Layton for most of three terms and work with many Commissioners who try to be at each meeting and make sure the citizenry can voice opinions. He said it had been a great opportunity to watch the City grow. He said he had lived in Layton for 30 years and expressed gratitude for the opportunity to serve.

City Planner, Peter Matson, said that he had found Chairman Esplin to be a very thoughtful, levelheaded individual who provided great insight to some very complicated and important issues that have come before the Planning Commission.

## **2. LAYTON CITY – ORDINANCE AMENDMENT**

Amending Title 19 Chapter 19.12 Section 19.12.050 -- Parking Space for Commercial, Industrial and Institution uses and amend the parking requirement to add a category and parking requirements for home improvement stores and warehouses – Ordinance 13-06.

City Planner, Peter Matson, presented the proposed amendment to the City's zoning ordinance, specifically Chapter 19.12, addressing parking requirements for Home Improvement Stores/Warehouses over 40,000 square feet and Garden Center uses. He said Ordinance 13-06 outlining the proposed amendments is before the Commission in draft format.

Mr. Matson said the City received an application from Net3 Real Estate to address the parking requirement for home improvement warehouse stores such as Lowe's and Home Depot. Net3 Real Estate is working with the

Lowe's store to analyze the parking demand for this particular type of use in order to present a proposal to the Planning Commission and the City Council for a retail pad towards the northeast corner of the Lowe's parking lot.

On March 12, 2013, Mr. Matson said the Planning Commission reviewed the applicant's request together with an analysis and data from Hales Engineering. This analysis determined that in general that the parking demand in the City was providing parking excess on the site that could be used in a more efficient manner. The data was gathered in the fall of 2012. The Planning Commission recommended data be collected in the peak months, when customers buy more products, as a more appropriate time to collect the data. The Planning Commission tabled the item and directed that more data be collected during the month of May. Mr. Matson said the updated study had been provided in the Commissioners' packets.

Mr. Matson said the proposed ordinance adds a category with a parking ratio of 2.5 spaces for per 1,000 square feet of gross floor area and one space for every 1000 square feet of gross seasonal garden retail floor area. He said this was Staff's proposal and recommendation. The applicant has requested a ratio of 2.0 spaces per 1,000 square feet of gross floor area. He said Mr. Hales would provide an analysis and comparison of those two ratios in his presentation.

Mr. Matson said the ordinance amendment had been a positive exercise in understand the parking habits and market demand of the customers. He said the existing ordinance has the parking calculation made based on one space per 200 square feet of net floor area minus the warehouse/storage area, office space and restrooms. He said the Lowe's site also includes parking for the Tunex and Big O stores. The ratio for those stores is not proposed to change.

Mr. Matson said Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the change in the ordinance.

Commissioner Weaver asked if the peak survey time of 1:30 p.m. to 2:00 p.m. is confirmed as the best peak time. Mr. Matson said Page 2 of the analysis indicates the peak hour was set by analysis of the hours through the day from 6:00 a.m. to 11:00 p.m.

Mr. Matson said the total number of stalls on the site is 424 and this provided the basis for the analysis of 2 stalls per 1,000 square feet of gross floor area. If the 2.5 ratio is used, 401 stalls would be required for Lowe's retail floor area (126,800 square feet), the garden area (32,700 square feet), existing out parcels (6,000 square feet) and the proposed outparcel (6,800 square feet). The surplus would be 23 stalls. If the 2.0 ratio is used, the total stalls required would be 337 stalls with 87 surplus stalls.

Mr. Matson said there were 25 stalls on the east portion of the site between the two driveways and 56 stalls near the southwest corner of the site.

Ryan Hales of Hales Engineering presented a slide show and explained his analysis. (See attached presentation.)

Commissioner Hansen asked about the justification for 2.0 parking stalls per 1,000 square feet for retail space and 1.0 parking spaces per 1,000 square feet for garden area since many vehicles go to both the garden area and the retail area.

Commissioner Fitzpatrick said that it appeared Lowe's had a greater percentage of unused stalls than Home Depot. If Home Depot was on this site, she said there would be fewer surplus stalls and asked if the ordinance amendment is approved, if Home Depot's parking availability would go below what is necessary for the store.

Mr. Hales said more parking at Home Depot was occupied by outdoor storage and that their approximate ratio was 2 to 2.2 stalls per 1,000 square feet of gross floor area.

Mr. Wright said the reason why the Staff recommended 2.5 stalls per 1,000 square feet is because it gives more of a buffer from the study that was done and takes the edge off risk for going too low for the required parking. He said efficiency in land use and being closer to the market reality is important.

Commissioner Harward asked about the current parking requirements. Mr. Wright said the current requirement is 5 stalls per 1,000 square feet of net floor space, which translates to 3.2 stalls per 1,000 square feet of net floor space with storage, offices and restrooms not included as well as any other non-retail space. The proposed ordinance amendment would reduce the required parking stalls on this site from 3.2 per 1,000 net square feet to 2.5 per 1,000 gross square feet.

Commissioner Harward said that when it comes to utilization of parking, the individual business owners may or may not utilize the parking space for additional retail purposes. Mr. Wright said that is true and oft times businesses want to provide more parking. He said he felt confident that dropping the ratio to 2.5 would work and is still conservative.

Commissioner Harward said the 2.0 ratio could maximize the retail opportunity but still provide adequate parking.

Mr. Wright said that with the amount of surplus generated with the 2.0 ratio, a pad site, in addition to the one proposed, could be possible. Staff didn't feel this would work on this site.

Commissioner Fitzpatrick asked about the ordinance in relation to Home Depot and both Mr. Wright and Mr. Hales said the Home Depot site was overparked. Mr. Wright said the approach being taken wouldn't provide an advantage to the two retailers in this category, one over the other for utilizing their property.

Commissioner Hansen asked if when the proposed new parcel is submitted if there would be a Planning Commission review. Mr. Wright said it would be a Staff review to make sure all the codes are met. Mr. Wright said that if the parcel were sold, Staff would make sure the parcel meets the requirements for the parcel and also for Lowe's.

There was a discussion on the east exit and close proximity to Antelope Drive. Concerns were expressed about additional congestion. Mr. Wright said with the site plan submitted, regardless of the 2.5 or 2.0 ratio, the applicant believes the traffic circulation is good. He said the City Engineer could ask for an evaluation of the cueing on 700 West as part of the site plan review. Commissioner Hansen said serious consideration should be given to additional traffic studies.

Mr. Hales said cueing had been reviewed and possibly the Utah Department of Transportation (UDOT) may need to be asked to change the timing at the 1000 West/Antelope Drive intersection.

There was a discussion on the closing of the north east entrance. Commissioner Fitzpatrick asked if the east side would be closed to traffic lanes to the south exit.

Mr. Hales said that only one or two stalls would be eliminated for a traffic aisle on the east side and that the 25 spaces would not have to be closed off. He explained that Lowe's would want to keep the access in front of their building and said there is a delicate balance between keeping a site open and closing a site by restricting access.

Commissioner Fitzpatrick asked if it would be safer to choose the 2.0 ratio so there would be more excess parking stalls.

Commissioner Gilbert suggested that vehicles be restricted from turning left on to 700 West. He suggested a center divider. He felt a good job had been done on the parking analysis, but expressed concerns about the 700 West and Antelope intersection.

There were no further questions or comments.

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 approve Ordinance 13-06 with a ratio of 2.0 stalls per 1,000 square feet of gross floor area for home improvement retail stores and also recommend a traffic study with UDOT to explore all measures to improve traffic flow along Antelope Drive. Commissioner Fitzpatrick seconded the motion. The motion passed by a margin of 4 to 1 with Commissioners Fitzpatrick, Hansen, Harward and Weaver voting in favor and Commissioner 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 Weaver seconded the motion, and the voting was unanimous.

## **PUBLIC REVIEW:**

### **3. JARED & MATT YEATES – PARCEL SPLIT**

This 1.95 acre parcel is located at 2078 East Cherry Lane in an R-S (Residential Suburban) zoning district. The applicants and owners, Jared and Matt Yeates, are proposing two parcels.

Mr. Matson presented the parcel split request. He said there is an existing home on the north parcel (.344 acres) and various accessory structures that will remain on the south parcel (1.611 acres). He said the applicant is proposing a single family home on the south parcel. He said there is a petroleum line easement on the east property line and no structures can be built on the easement.

Mr. Matson explained the configuration of the flat lot with the staff of the flag lot providing access to both the north and south parcels. He said that the City ordinance relative to flag lots specifies a maximum staff length of 170 feet. The staff portion of this lot is 142. The Fire Department requires that the home not be placed any more than 150 feet from a public right of way unless a radius turnaround is provided. The proposed new home will be set back 172 feet from Cherry Lane. With the length of the staff portion of the flag lot, the Fire Department will require a turnaround. Mr. Yeates has met with the Fire Department and discussed the alternative to a radius turnaround of installing a fire suppression system. The frontage improvement requirements on Cherry Lane have been met.

Mr. Matson said Staff recommends that the Planning Commission forward a positive recommendation to the City Council to approve the parcel split subject to meeting all Staff requirements including the Fire Department requirements and meeting all R-S zoning guidelines. He said a boundary line agreement will need to be recorded between the two property owners. He said the property has access to secondary water from the Kayscreek Irrigation Company.

Commissioner Fitzpatrick asked about the Engineer's comment stating there would be no land drain service for the south parcel. Mr. Matson said there was no access to connect to a City system, so there will be no land drain.

Commissioner Weaver asked about the driveway access to the existing home and if the circular drive would be closed off. Mr. Matson said that only two properties could be accessed from the staff of a flag lot.

Jared Yeates, 1075 North Walberg in Layton, and the applicant said the existing home has a "U" turnaround and his intent is not to change it. He said the access on the flag lot would be the access to the south parcel and that the two accesses would most likely not connect. He said the home on the south parcel would have a fire suppression system and that it would be his personal home and that there would be no animals.

Kyle Porter, 2088 East 1425 North, whose home is just south of the proposed parcel, expressed concerns that his view would be blocked and also expressed concerns about traffic and possible backing on to Cherry Lane from the proposed development.

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 parcel split based on all City regulations and Staff requirements being met. Commissioner Harward seconded the motion, and the voting was unanimous.

#### **4. CRIMSON CORNERS PHASES 3 & 4 -- PRELIMINARY APPROVAL**

This 11.743 acre property is located at approximately 275 North 3400 West in an R-S (Residential Suburban) zoning district. The owner and applicant, Duane and Wayne Johnson, are proposing 25 single family residential lots.

Mr. Weaver presented the request for Phases 3 and 4 of the Crimson Corners Subdivision. He said the subdivision was originally named Circle J Estates and received preliminary approval in 2005. Phases 1 and 2 have been completed. He pointed out the location of all of the phases. The preliminary approval for Phases 3 & 4 expired in 2006, which is the reason the applicant, Wayne Johnson, is again applying for preliminary approval

Mr. Weaver said the two phases consist of 25 single family residential lots with a density of 2.13 units per acre, which meets the density requirements of the R-S zone when lot averaged. The extension of 275 west and connection to Rockwell Estates is an important connection for utilities. He said there would be minor corrections to the plat to be done before final plat submittal and approval.

Mr. Weaver said Staff recommends the Planning Commission approve the preliminary plat for Crimson Corners Phases 3 and 4.

Commissioner Hansen asked the owner, Duane Johnson, 5449 Mountain View Drive, Mountain Green, Utah, if there was any assurance that a home compatible with the other homes in the development could be built on Lot 405. Mr. Johnson replied that homes in Crimson Corners 2, Wild Horse Springs, and Wild Horse Meadows have been built on lots the size of Lot 405 and have been built to the standard of other homes in the developments. Commissioner Hansen strongly encouraged that the developer be certain that particular lot will meet those standards.

Mr. Johnson thanked Commissioner Hansen for calling Lot 405 to his attention. He said he had reviewed the lot size and was confident he could build a home to the standard of the other homes in the development.

Commissioner Weaver asked Mr. Johnson if he would install dry fit lines for secondary water.

Mr. Johnson responded that he has been discussing secondary water lines with the City. He said he was not anxious to install the lines because he spent \$400,000 to put dry fit lines in Wild Horse Springs and Wild Horse Meadows but those subdivisions do not yet have secondary water. He said he wanted assurance from the City that there will be secondary water available before he installs the lines.

Jeremy Harkin, 239 North 3475 West, commented on the cul-de-sac issue and referred to the temporary turnaround in Rockwell Estates adjacent to the Crimson Corners subdivision.

Chairman Esplin said the Commission recognizes and has addressed the concern and sent it forward to the City Council. He advised Mr. Harkin to speak with Woody Woodruff, Layton City Engineer.

Chairman Esplin called for a motion on the item.

Commissioner Hansen moved that the Planning Commission grant preliminary plat approval for the Crimson Corners Subdivision Phases 3 & 4 subject to the applicant meeting all Staff requirements to include a review of Lot 405. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

#### **5. WEAVER MEADOWS PHASE 4A – FINAL APPROVAL**

This 1.97 acre property is located at approximately 500 West 650 South in an R-1-8 (Single Family Residential) zoning district. The applicant and property owner, Perry Homes, represented by Marlin Bigler, is proposing 7 single family residential lots.

Mr. Weaver presented the request for final approval for Weaver Meadows Phase 4A. He said Perry Homes Utah has developed the entire Weaver Meadows Subdivision. He said the initial Phase 4 included parcels that went south of Kays Creek, but because of the federal laws with FEMA, mapping the flood plain has caused a study to occur. Lots that back on to the creek are restricted and will not be able to get a building permit until the City has finished their study.

Mr. Weaver gave an overview of the location of the seven lots in Phase 4A. He said there would be no temporary turnaround. The developer will use Option 2 to install fire suppression systems in the homes. A note on the plat indicates which lots have fire suppression systems.

He said the Kays Creek Trail is on the south side of Kayscreek and will not be shown as an easement on Lots 404-406.

He said Staff recommends the Planning Commission forward a positive recommendations to the City Council to approve Weaver Meadows Phase 4A

Commissioner Fitzpatrick asked Marlin Bigler from Perry Homes for the reason a cul-de-sac is shown on the map at the model home center, but it is now a stub street. Mr. Bigler explained that they would be sprinkling the homes. Mr. Bigler asked about the restriction on 404-406 due to the FEMA flood plain buffer and asked if the restrictions would really affect those homes due to the depth of the lots. He said he would discuss it with the Engineering Division who has required the restriction.

Mr. Weaver explained that the cul-de-sac had been changed to a stub road because it would have blocked the Rulon and Sally Weaver property from having access for future development. Staff worked with Perry Homes to come to this decision.

There were no further questions or comments. 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 approve Weaver Meadows Subdivision Phase 4A subject to the applicant meeting all Staff requirements. The motion was seconded by Commissioner Weaver, and the voting was unanimous.

#### **6. SWAN CROSSING – PRELIMINARY APPROVAL**

This 6.022 acre property is located at approximately 2700 West Gordon Avenue in an R-S (Residential Suburban) zoning district. The applicant and property owner, Blake Hazen is proposing 13 single family residential lots.

Mr. Weaver presented the request for preliminary approval for Swan Crossing. He said the subdivision had frontage on Gordon Avenue and gave an overview of the subdivision and surrounding properties. The plat consists of 13 lot-averaged single family lots. The property is 6.022 acres, which creates a density of 2.155 units per acre and meets the requirement of the R-S zone of 2.s units per acre.

Mr. Weaver pointed out the flag lot and explained the layout of the plat. The City will allow the third option for a permanent turnaround. The applicant has asked an adjacent property owner for an easement and was denied. The

developer had originally been required to sprinkle some of the lots; however, the City Engineer and Fire Marshall gave an approval for the third option with stubs to the west for a future street tie in.

Mr. Weaver said Staff recommended the Planning Commission approve the Swan Crossing plat subject to meeting all Staff conditions.

Commissioner Hansen asked if the turnaround would be temporary or permanent. Mr. Weaver said it would become permanent and would have curb, gutter and sidewalk as part of the bulb and also a parkstrip. He said the lots have been designed to meet the setback and still have room for a nice sized home.

The developer, Blake Hazen, 2084 East 75 South, Layton, Utah, thanked Chairman Esplin for his service.

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

Commissioner Gilbert moved that the Planning Commission approve the Swan Crossing preliminary plat subject to meeting all Staff requirements as outlined in staff memorandums. Commissioner Hansen 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 Harward seconded the motion, and the voting was unanimous.

The meeting adjourned at 9:12 p.m.

  
\_\_\_\_\_  
Julie Jewell, Planning Commission Secretary

**ORDINANCE 13-17**

**AN ORDINANCE AMENDING THE DESIGN STANDARDS FOR TEMPORARY TURNAROUNDS BY AMENDING SECTION 3 OF THE “LAYTON CITY DEVELOPMENT GUIDELINES AND DESIGN STANDARDS” ENTITLED “STREET IMPROVEMENTS”; AMENDING TITLE 16, SECTION 16.04.010-D103.4 OF THE LAYTON MUNICIPAL CODE ENTITLED “DEAD ENDS”; AMENDING TITLE 18, SECTION 18.24.070 ENTITLED “TEMPORARY TURNAROUND”; AMENDING TITLE 19, SECTION 19.07.120 ENTITLED “DEVELOPMENT STANDARDS”; PROVIDING FOR REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE**

**WHEREAS**, the City has determined that the existing standard of bonding for the removal of temporary turnarounds in existing subdivisions with stubbed streets that are to be extended with new development is inefficient, ineffective, and overly burdensome; and

**WHEREAS**, existing standards have resulted in occasions where removal of temporary turnarounds have placed undue responsibility on the City, developers and property owners; and

**WHEREAS**, upon review, evaluation and input from the development community, the City has determined that new developments and developers should have reasonable alternatives when creating stubbed street connections for future development while meeting City Fire Code requirements; and

**WHEREAS**, reasonable alternatives and clear guidelines will allow the City and developers to design the residential street system, which limits vehicle turnarounds in neighborhoods where subdivisions, or subdivision phases connect; and

**WHEREAS**, the City Council has reviewed the Planning Commission's recommendation and has received pertinent information in the public hearing regarding the proposed updates to the guidelines and regulations for temporary turnarounds; and

**WHEREAS**, at the conclusion of the public hearing and upon making the necessary reviews, the City Council has determined that these amendments are rationally based, are reasonable, are consistent with the intent of the City’s General Plan, which is in furtherance of the general health, safety, and welfare of the citizenry.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:**

**SECTION I: Enactment.** Development Guidelines and Design Standards, Section 3 is amended to read as follows:

**Section 3 Street Improvements**

...  
X

Temporary Turn-Around

- A. A temporary turn-around shall be required on any dead end (stub) street that is more than 150 feet or two lot lengths (maximum of 200 feet) from an intersection. All distances in this section are measured from the face of the curb of the intersection.
1. An off-site temporary turn-around with a minimum 80 foot diameter drivable surface may be located on abutting property with proper easements (see ST-ST-14).
  2. If a street extends more than 150 feet or two lot lengths (maximum of 200 feet) from an intersection and the Developer is not able to obtain an easement for a temporary turn-around from the adjacent property owner, the Developer will be required to install a fire suppression system meeting the requirements of the currently adopted

NFPA 13(d) standard in all of the homes located greater than 150 feet or two lots from an intersection. All lots with fire suppression systems must be identified on the final site plan and plat.

3. The City Engineer and Fire Marshal may approve a permanent cul-de-sac with a future street tie in as shown in standard drawing ST-ST-14, for a street that extends more than 450 feet from an intersection and is planned to be extended in the future.

....

~~X. Existing Temporary turn around Standard~~

- ~~A. A temporary turn around shall be provided where the streets extend more than 150 feet from an intersection.~~
- ~~B. The temporary turn around may be located on the developed subdivision with proper easements or may be located abutting the development with proper easements.~~
- ~~C. The developer will place in escrow, the cash amount determined to be necessary for the removal of the temporary turn around.
  - ~~1. Where the turn around is located on developed lots, the escrow shall be sufficient to remove the existing improvements and construct the new improvements necessary to change the street from a turn around to a through street.~~
  - ~~2. Where the turn around is located on un-improved property, the escrow shall be sufficient to remove the existing improvements.~~~~

SECTION II: Enactment. Title 16, Appendix D, Section D103.4 is amended to read as follows:

**Section D103.4 Dead Ends**

Dead-end fire apparatus access roads in excess of one hundred fifty feet (150') shall be provided with width and turnaround provisions in accordance with Layton City Development Guidelines and Design Standards Manual, Street Improvements, Section IX Cul-de-sac/Turn-around Requirements and Section X Temporary turn-around.

SECTION III: Enactment. Title 18, Chapter 18.24, Section 18.24.070 is amended to read as follows:

**18.24.070 Temporary Turnaround**

(1) A temporary turn-around is required on any street which is anticipated to be extended at any time in the future, but, for the time being said street is a dead end street. A temporary turn-around shall be required on any dead end (stub) street that is more than 150 feet or two adjacent lots from an intersection and shall meet the provisions as outlined in the Layton City Development Guidelines and Design Standards Manual, Street Improvements, Section X. Temporary turn-around. (1) Temporary

turnarounds may be required on any street which is anticipated to be extended at any time in the future, but, for the time being said street is a dead end street. Temporary turnarounds shall be required on any dead end (stub) street that is one hundred fifty feet (150') or more in length.

~~(2) Any developer who is required to construct a temporary turnaround on a stub street shall bond for the entire amount of construction and removal of any improvements considered to be temporary. The construction of the improvements may be bonded as prescribed in Section 18.36.041. However, bonding for the removal of the improvements shall only be in the form of cash deposited with the City. All bond amounts are to be approved by the City Engineer.~~

(2)(3) Where a temporary turnaround is required by the City, said turnaround shall be clearly indicated on the subdivision plat.

(3)(4) When a temporary turnaround is required, the nature of that turnaround shall be clearly disclosed by the seller to all lot buyers within the subdivision.

**SECTION IV: Enactment.** Title 19, Chapter 19.07, Section 19.07.120 is amended to read as follows:

**19.07.120 Development Standards**

...

(6)(c) Cul-de-sacs shall not exceed six hundred feet (600') in length and shall have a turn-around with a radius of fifty feet (50'). Stub streets that are longer than the width or length of one hundred fifty feet (150') or two adjacent lots, whichever is less, shall have an approved temporary turn-around at the end thereof as prescribed in section 18.24.070.

....

**SECTION V: Enactment.** Title 19, Appendix A-16 is added to read as follows:

**Title 19, Appendix A-16 Temporary Turnarounds**

“See attachment”

**SECTION VI: Repealer.** If any provisions of the City’s Code heretofore adopted are inconsistent herewith, they are hereby repealed.

**SECTION VII: Severability.** If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

**SECTION VIII: Effective Date.** This ordinance shall go into effect at the expiration of the 20th day after publication or posting, or the 30th day after final passage as noted below, or whichever of said days is the most remote from the date of passage thereof.

**PASSED AND ADOPTED** by the City Council of Layton, Utah, this \_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
THIEDA WELLMAN, City Recorder

\_\_\_\_\_  
J. STEPHEN CURTIS, Mayor

SUBMITTING DEPARTMENT:

APPROVED AS TO FORM:

\_\_\_\_\_  
WILLIAM T. WRIGHT, Director  
Community and Economic Development

\_\_\_\_\_  
GARY CRANE, Attorney

# Layton Lowes Parking Study

Presented to:  
Layton City Planning Commission  
June 25, 2013

Ryan Hales, P.E., PTOE, AICP

**HALES**  **ENGINEERING**  
innovative transportation solutions

# Outline

- Project Location
- Existing Land Uses and Parking Supply
- Existing Parking Demand
- Proposed Land Use / Parking Supply
- Future Parking Demand
- Recommended Parking Rate
- Application of Recommended Rates to Lowes
- Conclusions

# Project Location



## Existing Land Uses

- Lowes ~126,800 sq. ft.
- Lowes Garden Center ~ 32,700 sq. ft.
- Total ~159,500 sq. ft.
  
- Tunex ~3,000 sq. ft.
- Big-O Tire ~3,000 sq. ft.

# Parking Supply



# Existing Parking Demand

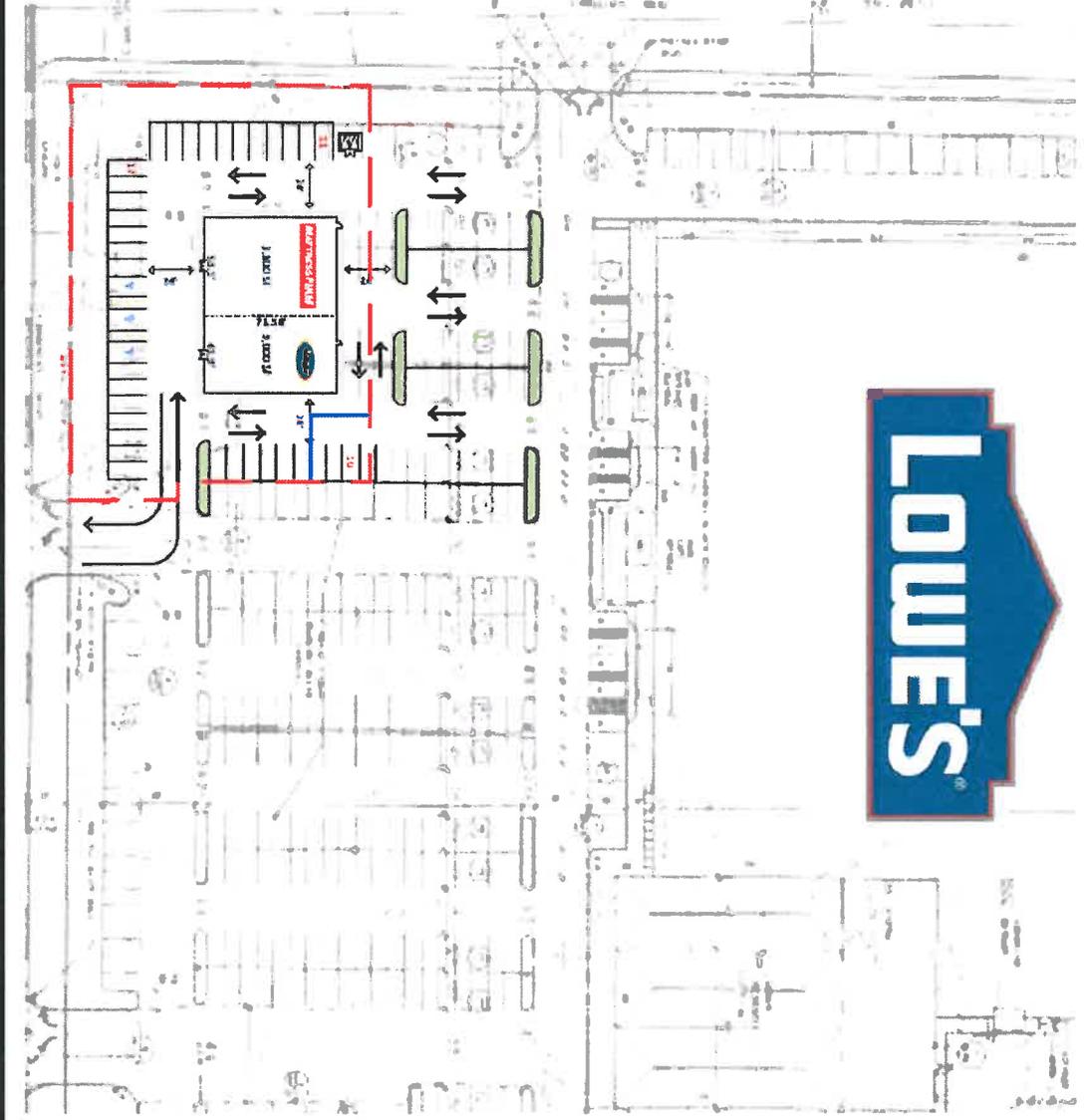
TOTAL Parking Stalls – 474 each

Date / Day	Average Demand	Peak Time	Demand/	Peak Surplus	Demand	Stall
Nov. 10, 2012 / Sat.	n/a	144/ 2:00 p.m.			330	
<b>May 4, 2013 / Sat.</b>	133	<b>236 / 2:00 p.m.</b>			<b>238</b>	
May 13, 2013 / Mon.*	134	165 / 2:00 p.m.			309	
May 14, 2013 / Tues.*	142	177 / 1:30 p.m.			297	
May 18, 2013 / Sat.	109	168 / 2:00 p.m.			306	

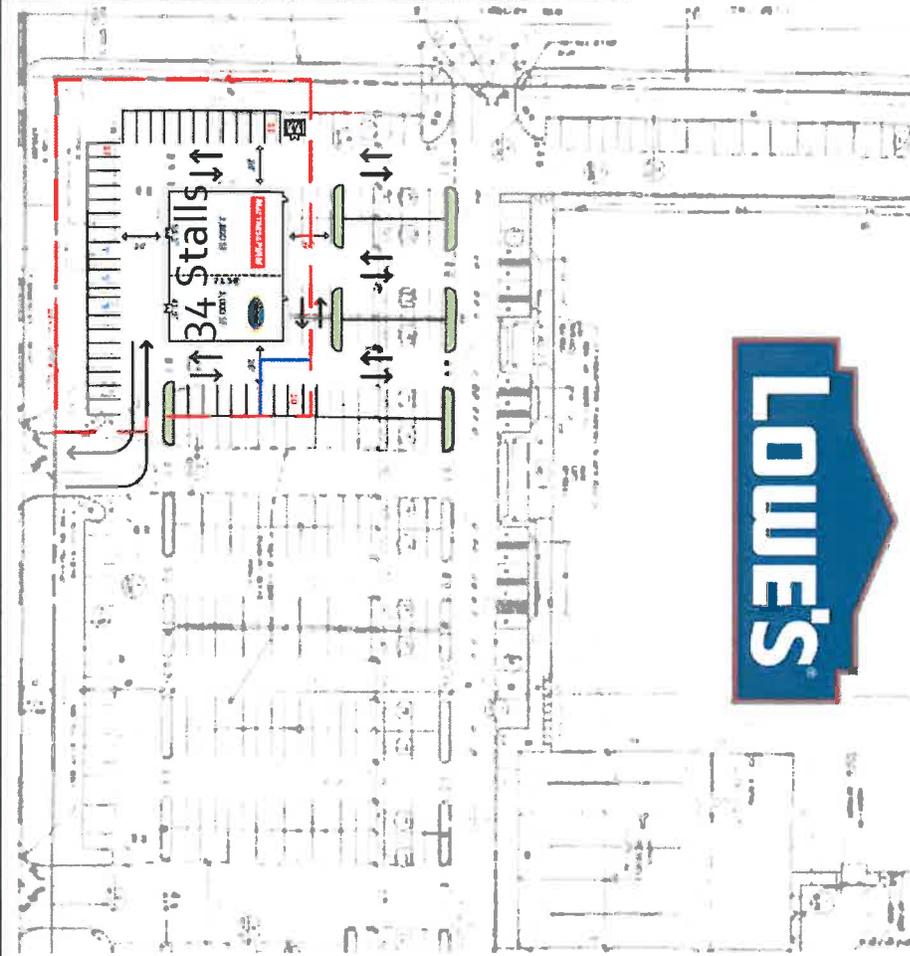
\* - Counted by Layton City

Occupied Stalls (49.79%), Unoccupied Stalls (50.21%) = **1.43 cars / 1,000 sq. ft.**

# Proposed Land Use (Site Plan)



# Future Parking Demand



# Recommended Parking Rate

Home Improvement Store – 40,000 SF or larger	2.00	Per 1,000 sf floor area
Home Improvement Garden Center (Covered / Enclosed)	1.00	Per 1,000 sf floor area
Auto Repair / Tire Stores	1.00	Per 400 sf floor area + 2 spaces
Retail	1.00	Per 200 sf floor area

# Application of Recommended Rate

Area	SF	Cars / 1000 SF	Total	Surplus
Lowes – Retail Floor Area	126,800	2.00	254	
Lowes – Covered / Outdoor Garden Area	32,700	1.00	33	
Existing Outparcel – Tunex / Big O	6,000	2.5 (plus 2)	17	
Proposed Outparcel	6,800	5.00	34	
<b>Total</b>			<b>337</b>	<b>87 stalls</b>

## Conclusions

- A reduction in parking to 2.00 stalls per 1,000 square feet for the Lowes retail floor space will leave sufficient parking for the existing outparcels (Tunex and Big-O Tires), the proposed outparcel (6,800 sq. ft.) and still provide a parking surplus of 87 stalls.

# Questions?

**HALES**  **ENGINEERING**  
innovative transportation solutions