

**LAYTON CITY PLANNING COMMISSION MEETING MINUTES
JULY 30, 2013**

MEMBERS PRESENT: Brian Bodily, Dawn Fitzpatrick, Wynn Hansen, Chad Harward, Gerald Gilbert, Robert Van Drunen, Dave Weaver

MEMBERS ABSENT: Tim Pales

OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver, Julie Jewell, and Councilmember Jory Francis

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

APPROVAL OF THE MINUTES: June 25, 2013

Chairman Gilbert called for a motion to approve the June 25, 2013, Planning Commissioner and Work Meeting minutes. Commissioner Fitzpatrick moved to approve the minutes as written. Commissioner Weaver seconded the motion, and the voting was unanimous.

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

Chairman Gilbert reviewed the citizen comment guidelines for the meeting.

PUBLIC HEARING:

1. FOOTHILLS AT CHERRY LANE PHASE 3 AMENDED PLAT – FINAL APPROVAL – ORDINANCE 13-25

Ordinance 13-25 proposes to remove Lot 315 from the Foothills at Cherry Lane Phase 3 plat. The Foothills at Cherry Lane Phase 3 is located at approximately 2000 East Oakridge Drive in an R-1-10 (Single Family Residential) zoning district. The applicant is Brighton Homes Utah represented by Patrick Scott.

Kem Weaver, Planner II, presented the request for the Foothills at Cherry Lane Phase 3 Amendment Plat – Lot 315. He said that on August 16, 2012, the City Council approved the plat for Phase 3 and the plat was recorded, which is why the plat has to be amended to take Lot 315 out of the phase. Amending the plat through the public hearing gives an opportunity for the property owners to hear about the amendment or voice any concerns. Lot 315 will be vacated by Ordinance 13-25.

Mr. Weaver gave an overview of the street layout, both public and private, and said Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the amended plat subject to meeting all Staff requirements.

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

Chairman Gilbert called for a motion on the item. Commissioner Bodily moved that the Planning Commission forward a positive recommendation to the City Council to approve Ordinance 13-25 to vacate Lot 315 and approve the amended final plat. Commissioner Hansen seconded the motion, and the voting was unanimous.

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

PUBLIC REVIEW:

2. FOOTHILLS AT CHERRY LANE PRUD – PRELIMINARY APPROVAL

This 5.42 acre property is located at approximately 2100 East Oakridge Drive in an R-1-10 PRUD and an R-M1 PRUD zoning district. The applicant, Brighton Homes Utah represented by Patrick Scott, is proposing 30 single family residential lots.

Mr. Weaver said that on June 27, 2013, the City Council approved the rezone from R-1-10 to R-1-10 PRUD, which included lot 315 to be vacated from Phase 3 and included in the PRUD is the adjacent R-M1 property, which was rezoned to R-M1 PRUD. He said the total units that would be allowed with the development is 31 units with no bonus density required. He said land surrounding the building pads is open space area. He said buildable areas will back on to but not encroach on the 50-foot wide petroleum pipeline easement. He said trees were planned for the frontage of Oakridge Drive, but no trees will be allowed on the easement as lines are buried shallow.

Mr. Weaver said that the six lots fronting on Oakridge Drive were a concern with the Planning Commission during the rezone process. He said the 24 other lots front on public and private streets. Other alternatives were researched to eliminate fronting on Oakridge Drive. The applicant has examined a rear loaded concept as well as some alternative designs for a rear loaded design for the entire project. The development agreement is open ended for the developer to consider other design options, however, this design will be the final design to make it viable economically and maintain required open space.

Traffic calming techniques from the City Engineer include options to improve the safety on Oakridge Drive by using different striping techniques for Oakridge Drive and also trees in the streetscape design that tend to slow traffic.

Mr. Weaver said Staff and the developer met with the DRC (Design Review Committee) to review the proposed development.

- The design of the homes should closely match the architecture of the single family homes within the Foothills at Cherry Lane Subdivision.
- For corner lots, place the living portion of the house (not the garage) on the visible corner of corner lots.
- For corner lots, have a better designed side elevation that is seen by the public. This includes lots not just on a corner lot but any side elevation as seen by the public. Add design elements to the side elevation, which include windows or dormer treatments (see the building elevations highlighted in green). Ensure the added design elements are consistent with the front of the home.
- Flip Lots 107 and 130 to move the garage to the other side, away from the street corner. City ordinance requires the drive approach to be 40 feet from the street corner.
- Prevent homes with similar building elevations from having the same color treatments.
- Reduce the proposed mulch around the foundation of the homes from 3 feet to 2 feet out from the home.
- Plant additional trees adjacent to Lots 124, 108 (rear) and 109 (rear).

Chairman Gilbert said this is a great example of the DRC working with Staff to take into consideration with how a development looks from every angle, to give each individual unit a signature of its own and try to blend into the single family homes to the west.

Commissioner Fitzpatrick asked if Lot 125 would need to be sprinkled due to its distance on the private drive from an intersection. Mr. Weaver said the distance was not great enough to require sprinkling.

There was a discussion of widening Oakridge in that area, which Mr. Weaver said was a good idea, but space wasn't available.

Mr. Weaver explained why there would be no fences internally in the project because the area between the homes would be common area. He said a patio could be fenced if within the block footprint and that there would be a perimeter fence around the development. He said the fence would be solid vinyl of a taupe color.

There were no further questions from the Commission. There were also no questions from the audience.

Chairman Gilbert called for a motion on the item. Commissioner Harward moved that the Planning Commission forward a positive recommendation to the Council to approve the preliminary plat for the Foothills at Cherry Lane PRUD subject to meeting all Staff requirements. Commissioner Weaver seconded the motion, and the voting was unanimous.

3. COTTAGES AT FAIRFIELD – PRELIMINARY APPROVAL

This 9.95 acre property is located at the northeast corner of Church Street and Fairfield Road in an R-1-6 (Single Family Residential) zoning district. The applicant, Ovation Homes represented by Brad Frost, is proposing 30 single family residential lots.

Mr. Weaver presented the request for preliminary approval for the Cottages at Fairfield and said the applicant, Ovation Homes, is proposing an R-1-6 zoned subdivision located at the intersection of Church Street and Fairfield Road. He said a portion of the property falls within the APZ easement with no homes planned for that area because they are not allowed within that easement area. He said the 30 single family homes will be similar to those at the Cottages at Chapel Park. The property owner will maintain the side and rear yards and the HOA will maintain the front yard with covenants to address the maintenance. The HOA will also maintain all the streets except the public street, maintain the Fairfield Road and Church Street landscape buffers and the detention basin at the intersection of Fairfield Road and Church Street. This intersection will become signalized and will be a full intersection with a right turn lane. The applicant will provide an easement at the edge of the detention basin for this signal.

Commissioner Fitzpatrick commented that Parcel A will have a gravel surface. Mr. Weaver said it could be landscaped and the applicant may consider RV storage there, but that would require a conditional use.

Commissioner Hansen asked if the secondary water line issue had been resolved between all the parties. Mr. Weaver said the issue had been resolved and would be accommodated on the plat. He explained the route of the water line.

Commissioner Hansen expressed the concern that Parcel A would be across the street from the mortuary and gravel would not be a logical fit or a presentable way to deal with the parcel. Mr. Weaver said it wouldn't be seen from Fairfield Road with the fence and buffer.

The developer, Norm Frost, 722 North 1550 West, Kaysville, Utah, said they would put grass on Parcel A and the HOA would maintain it. He also said he had talked to Weber Basin Water District and they are reviewing the plat.

Commissioner Hansen asked about the vinyl fence color, and Mr. Frost said it would be an earthtone.

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

Chairman Gilbert called for a motion on the item. Commissioner Fitzpatrick moved that the Planning Commission approve the preliminary plat for the Cottages at Fairfield. Commissioner Bodily seconded the motion, and the voting was unanimous.

4. LOWE'S PARCEL SPLIT – FINAL APPROVAL

This 13.332 acre property is located at 1055 West Antelope Drive in a CP-3 (Planned Regional Commercial) zoning district. The applicant, Net 3 Real Estate represented by Matt Friedman, is proposing to create a 12.592 acre parcel (Lowe's Home Improvement Store) and a .74 acre parcel for a new retail building.

Mr. Weaver said the parking ordinance that would allow for the additional building to be built with this proposed parcel split, would be going to Council in two days for review and he was confident the Council would approve the ordinance amendment. If not approved by the Council, any decision made by the Planning Commission on the parcel split would be void.

He said the proposal was to split off .74 acres in the northeast corner of the Lowe's parking lot to create a building pad for a 6,800 square foot building, which would be a strip mall but with no restaurant.

Commissioner Hansen asked about the potential need for additional traffic studies and ingress/egress studies on the northeast entrance to the Lowe's store. Mr. Weaver said the traffic engineer indicated the best solution is to change the timing of the traffic signal.

Mr. Wright said the Utah Department of Transportation (UDOT) and Layton City are partnering in efforts to study how to reduce the congestion from 2200 West to this part of Antelope Drive. He said the most likely alternative will be a widening on Antelope Drive to allow three lanes in both directions. That will allow the through movement on Antelope Drive to move more capacity through the signal so it would allow more time available to move some of the north to west bound traffic that backs up and cues by the Lowe's parking lot. With three lanes, there is a potential to have three left turn lanes from Woodland Park Drive on to Antelope Drive but traffic doesn't yet warrant the three lanes.

Commissioner Bodily asked what the affect of the third lane on Antelope Drive would have on traffic into the Lowe's area. Mr. Wright said the access points would be maintained and any area that was a shoulder would be eliminated and become a traffic lane.

Commissioner Fitzpatrick asked how that would affect bike travel. Mr. Wright said there is a bike lane master plan and it would have to be a Class C bike lane with bikes traveling with vehicles in a travel lane.

There were no other questions from the Commissioner or the audience.

Commissioner Weaver moved that the Planning Commission forward a positive recommendation to the City Council to approve the parcel split subject to the applicant meeting all Staff requirements. Commissioner Harward seconded the motion, and the voting was unanimous.

5. EVERGREEN FARMS PHASE 2 – FINAL APPROVAL

This 19 acre parcel is located at approximately 1950 West Layton Parkway in an R-S (Residential Suburban) zoning district. The applicant, The Adams Company represented by Dave Adams, is proposing 44 single family residential lots.

Mr. Weaver said the applicant, the Adams Company, is proposing a second phase of Evergreen Farms in the R-S zone. He said all lots meet requirements of the R-S zone for frontage and area. He said the applicant is required to build half the extension of Layton Parkway and dedicate it to Layton City. A minimum five-foot landscape buffer easement is required along Layton Parkway as well as an 8-foot masonry wall to match the existing masonry walls already installed on Layton Parkway. The lots backing on to the Rocky Mountain Power corridor will be fenced by a chain link fence.

Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation to the City Council to grant final approval to Evergreen Farms Phase 2 subject to meeting all Staff requirements.

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

Chairman Gilbert called for a motion on the item. Commissioner Hansen moved that the Planning Commission forward a positive recommendation to the City Council to grant final approval to the Evergreen Farms Subdivision Phase 2 subject to meeting all Staff requirements. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

Chairman Gilbert called for a motion to close Public Review and adjourn the meeting. Commissioner Bodily moved to close Public Review and adjourn the meeting. There was no second on the motion, and the voting was unanimous.

The meeting adjourned at 7:53 p.m.



Julie Jewell, Planning Commission Secretary

**LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
JULY 30, 2013**

MEMBERS PRESENT: Brian Bodily, Dawn Fitzpatrick, Chad Harward, Gerald Gilbert, Robert Van Drunen, Dave Weaver

MEMBERS ABSENT: Wynn Hansen, Tim Pales

OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver, Julie Jewell, and Councilmember Jory Francis

City Planner, Peter Matson, said he had confirmed with the City Engineer that he would be at the August 27, 2013, Work Meeting to discuss the secondary water system and to review the system and service area maps with the Planning Commission.

Planning Commission Chair, Gerald Gilbert, said he had asked Staff to provide a work meeting agenda with a time frame to be spent discussing each item. He asked the Commission for any suggestions as to how to make meetings more productive.

Commissioner Fitzpatrick said she appreciated seeing the citizen comment guidelines accompanying the agenda.

PUBLIC HEARING:

1. FOOTHILLS AT CHERRY LANE PHASE 3 AMENDED PLAT – FINAL APPROVAL – ORDINANCE 13-25

Ordinance 13-25 proposes to remove Lot 315 from the Foothills at Cherry Lane Phase 3 plat. The Foothills at Cherry Lane Phase 3 is located at approximately 2000 East Oakridge Drive in an R-1-10 (Single Family Residential) zoning district. The applicant is Brighton Homes Utah represented by Patrick Scott.

Commissioner Fitzpatrick pointed out that the Staff recommendation for this item indicated an incorrect subdivision name. There were no questions on this item.

PUBLIC REVIEW:

2. FOOTHILLS AT CHERRY LANE PRUD – PRELIMINARY APPROVAL

This 5.42 acre property is located at approximately 2100 East Oakridge Drive in an R-1-10 PRUD and an R-M1 PRUD zoning district. The applicant, Brighton Homes Utah, represented by Patrick Scott, is proposing 30 single family residential lots.

Planner II, Kem Weaver, explained the history and background of this property stating that the property had been in the City for 30 years with the annexation of East Layton, but had never been rezoned from R-M1 to a single family residential zone. The previous owner wanted to develop 45 apartment units, which weren't compatible with this area of the City. An adjacent owner, Brighton Homes Utah, purchased the property so it wouldn't impact their single family home development and is requesting to develop a PRUD (Planned Residential Unit Development) on the property with homes no smaller than 1200 square feet.

Mr. Weaver said the City Council approved the rezones from R-M1 and R-1-10 to R-M1 PRUD and R-1-10 PRUD. He said with the combined densities of these two zones, 48 units could be allowed. However, per the development agreement approved with the rezone, 31 would be the maximum number of units allowed. The

applicant is proposing 30 units. Since the applicant has to meet the 25 percent open space requirement, to make the project viable, they need to have 30 units.

The applicant and Staff met with the Design Review Committee (DRC) and the following were the DRC recommendations.

- The design of the homes should closely match the architecture of the single family homes within the Foothills at Cherry Lane Subdivision.
- For corner lots, place the living portion of the house (not the garage) on the visible corner of corner lots.
- For corner lots, have a better designed side elevation that is seen by the public. This includes lots not just on a corner lot but any side elevation as seen by the public. Add design elements to the side elevation, which include windows or dormer treatments (see the building elevations highlighted in green). Ensure the added design elements are consistent with the front of the home.
- Flip Lots 107 and 130 to move the garage to the other side, away from the street corner. City ordinance requires the drive approach to be 40 feet from the street corner.
- Prevent homes with similar building elevations from having the same color treatments.
- Reduce the proposed mulch around the foundation of the homes from 3 feet to 2 feet out from the home.
- Plant additional trees adjacent to Lots 124, 108 (rear) and 109 (rear).

Mr. Weaver said that during the rezone process, the Planning Commission had concerns with the driveways on Oakridge Drive. Discussions with the City Engineering Division determined mitigations for safety such as a canopy of trees in the streetscape on Oakridge Drive and striping the street.

Commissioner Weaver asked that the City Engineer look into striping at 1275 East and Cherry Lane. Mr. Weaver will pass Commissioner Weaver's concerns on to the City Engineer to see if there is anything in the standards and guidelines that could be used in this area.

There was a continued discussion on driveways backing onto Oakridge Drive.

Commissioner Gilbert asked if the easement area could be excluded from credit for open space and said if three lots were omitted, then there could be a private lane and no backing onto Oakridge Drive. He said it seems that the developer is making a concession, but they can't actually build on the petroleum line easement.

Mr. Weaver said the developer considered the Planning Commission's concerns to put in a private drive, but if two to three lots are omitted, then the project isn't economically viable. He said they could redesign and bring the design back to the Planning Commission for review.

Mr. Wright said that both the seller and the developer are trying to break even and won't make money on this development. It is more of a way to keep peace in the neighborhood. Mr. Wright explained how the developer had tried to create an alley fed project. To keep the project economically viable and something that would sell, the conclusion was that the current design is the best they can do. They have better defined the driveways showing space between the driveways. It was his opinion that the current design was as good as it was going to get.

Chairman Gilbert asked if there had been any citizen calls since the notices were posted on the property. Mr. Wright said there had been no calls and some citizens came to City Council and thanked the Council afterward for trying to find a better solution.

Mr. Wright said the reason Phase 5 was not being vacated was because it had never been recorded as a subdivision. However, the one lot in Phase 3, which was a recorded subdivision, had to be vacated. The signatures of property owners of the lots in Phase 3 have been obtained.

Chairman Gilbert asked if the west property line would be fenced. Mr. Weaver said there would be a perimeter fence.

3. COTTAGES AT FAIRFIELD – PRELIMINARY APPROVAL

This 9.95 acre property is located at the northeast corner of Church Street and Fairfield Road in an R-1-6 (Single Family Residential) zoning district. The applicant, Ovation Homes represented by Brad Frost, is proposing 30 single family residential lots.

Mr. Weaver presented the request for preliminary approval for the Cottages at Fairfield. He said the Civil Engineer on the project, Chris Cave, was present to answer any questions.

Commissioner Fitzpatrick said there was a waiting list for apartments to rent and that older apartments are doing upgrades.

There was a discussion about the acquisition of property and the signal for the intersection of Church Street and Fairfield Road.

Commissioner Weaver asked if the secondary water issue with the adjacent neighbor requiring access to the water in the eight-inch irrigation line had been resolved. Mr. Cave said the developer has an agreement with the neighbor to use the line.

Commissioner Fitzpatrick asked about the upgrades planned for Church Street. Mr. Weaver said that Church Street will be upgraded to a 66-foot wide right of way in front of the development and restriping may occur once the improvements are completed.

4. LOWE'S PARCEL SPLIT – FINAL APPROVAL

This 13.332 acre property is located at 1055 West Antelope Drive in a CP-3 (Planned Regional Commercial) zoning district. The applicant, Net 3 Real Estate represented by Matt Friedman, is proposing to create a 12.592 acre parcel (Lowe's Home Improvement Store) and a .74 acre parcel for a new retail building.

Mr. Weaver said the parking ordinance that would allow for the additional building to be built with this proposed parcel split, would be going to the City Council in two days for review and he was confident the Council would approve the ordinance amendment. If not approved by the Council, any decision made by the Planning Commission on the parcel split would be void.

He said the proposal was to split off .74 acres in the northeast corner of the Lowe's parking lot to create a building pad for a 6,800 square foot building, which would be a strip mall but with no restaurant.

Commissioner Van Drunen asked if the design plan would be reviewed by the Planning Commission. Mr. Weaver said the design plan would not come to the Commission but be reviewed by Staff.

There was a discussion of the placement of the building and parking stalls.

There were no other questions.

5. EVERGREEN FARMS PHASE 2 – FINAL APPROVAL

This 19 acre parcel is located at approximately 1950 West Layton Parkway in an R-S (Residential Suburban) zoning district. The applicant, The Adams Company represented by Dave Adams, is proposing 44 single family residential lots.

Planner II, Kem Weaver, presented the request for final approval of Phase 2 of the Evergreen Farms Subdivision. The requirements for this subdivision were discussed. There will be a requirement for an eight-foot masonry wall along Layton Parkway with the landscape buffer to be maintained by the HOA (Home Owners Association) for this subdivision. Mr. Weaver said the Parks Department is requesting a chain link fence for homes that back along the power corridor, which is still being farmed.

Mr. Wright said there seems to be a lot of confidence in the housing market in Layton.

The connection to 2200 West was discussed as well as the lots marked "R" for concerns with the finished floor level of basements. Mr. Wright said there would be a table on the mylar to explain the "R" designations.

OTHER:

The Commission asked for Planner I, Andrew King, to e-mail the changes that were made on the Midnight-Euro Automotive conditional use requirements.

Chairman Gilbert asked for something be done about the Dave Shippen pool business issue. Mr. Wright stated that Mr. Shippen's attorney was advised that there were no exceptions to the rule that the contractor's yard had to be moved. A conditional use for a contractor's yard on the property cannot be granted or revoked because it is not allowed. Mr. Wright said Staff was trying to follow the procedure correctly to assure that the contractor's yard will be removed.

There was a discussion of semi tractors being parked in the WalMart parking lot. Mr. Wright said if there is a concern that the police should be notified. Other lots where semi tractors have been parked overnight were discussed.


Julie Jewell, Planning Commission Secretary