

**LAYTON CITY PLANNING COMMISSION MEETING MINUTES
APRIL 8, 2014**

MEMBERS PRESENT: Brian Bodily, Dawn Fitzpatrick, Gerald Gilbert, Robert Van Drunen, Tim Pales, Dave Weaver

MEMBERS ABSENT: Wynn Hansen

OTHERS PRESENT: Staff Members: Bill Wright, Kem Weaver, Brandon Rypien, Tyson Willis, Julie Matthews and Councilmember Tom Day

Chairman Gilbert called the meeting to order at 7:11 p.m. The Pledge of Allegiance was recited and an invocation given by Commissioner Bodily.

Chairman Gilbert called for a motion to approve the March 25, 2014, Planning Commission and Work Meeting Minutes. Commissioner Fitzpatrick moved to approve the minutes as written. Commissioner Pales seconded the motion, and the voting was unanimous.

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

PUBLIC REVIEW:

1. MAJOR ESTATES PHASES 1 & 2 – PRELIMINARY APPROVAL

This 17.73 acre property is located at approximately 725 North 3200 West in an R-S (Residential Suburban) zoning district. The applicant, Perry Homes Utah, represented by Jeff Taylor, is proposing 41 single family lots.

Planner II, Kem Weaver, presented the request for preliminary approval for the Major Estates Subdivision. The applicant, Perry Homes Utah, is requesting to develop 17.73 acres of farmland immediately west of the Swan Meadows Subdivision from 2700 West to 3200 West. The subdivision will consist of a single street with 41 lots. The stub streets planned meet block ordinance distance requirements.

Mr. Weaver said Swan Meadows and Shadybrook Park Subdivision only have two outlets through Evans Meadows to Gordon Avenue and Swan Meadows to 2200 West. The proposed subdivision will provide a way to 3200 West, and 2525 west is being improved to connect to Gordon Avenue.

Mr. Weaver said the Rocky Mountain Power corridor runs through the center of the development. The power company owns all but 130 feet on the west side of the corridor. This property will be an easement on lots 111 and 130.

As part of the street configuration, Mr. Weaver said Staff has recommended a roundabout as a traffic calming device and the applicant is in agreement. When Major Estates was reviewed by the Planning Commission three years prior, some Swan Meadows residents were concerned with it becoming a speed street. A roundabout at the four-way intersection would help calm traffic. It would protect homeowners on the street and lessen the speed of traffic coming towards Swan Meadows. The roundabout has been reviewed by the Fire Department, which is in agreement with the size of the roundabout. The roundabout is still a 60-foot round about, and no lot sizes will be impacted. The developer also has the option to landscape the center of the roundabout but leaving room for life saving equipment to clip the roundabout with a mountable curb.

Mr. Weaver said Staff recommends the Planning Commission grant preliminary approval to Major Estates Subdivision, Phases I & II. He said the City Council does not need to review the proposal for preliminary approval.

Commissioner Weaver asked about secondary water, and Mr. Weaver said by ordinance the developer will need to install dry lines in the subdivision. He said once Kayscreek Irrigation gets the water across I-15, there should be secondary water to these lots in a couple of years.

Mr. Weaver asked about the building envelope size for Lots 111 and 130. He said he had not calculated the buildable area. The developer's representative, Jeff Taylor, said Perry Homes Utah has floor plans that will fit the lots.

Chairman Gilbert invited comments from the developer and audience.

Adam Nash, the authorized agent on the application, 4376 South 700 East, Salt Lake City, said the crossroads will not interfere with the building placement. He discussed the plans for a berm so there are no potential irrigation issues. He said the planned roundabout was in a good area.

Stan Layton, 572 North 3200 West, pointed out his property. He said he didn't like the stub streets to his farm. It was explained to him that the streets will not go through his farm unless he sells his property for development. Another concern expressed was an area in Swan Meadows that is not fenced causing a danger to children when the irrigation ditch is full. Mr. Weaver will check on the reason for the missing fence, which is required by code.

Mr. Weaver explained the ordinance for block lengths of not more than 1,000 feet without an intersection, which is why the stub streets are required although it is not known when the property to the north or south will be developed. The stub streets just provide a plan for connectivity to future development.

Mr. Weaver said that by ordinance, the developer is required to put in at minimum a six-foot chain link fence along agriculture property both on the north and the south boundaries and the fencing will go across the stub streets and be taken out from the stubbed streets with future development.

The question was asked if the power corridor could accommodate a street. Mr. Weaver said Rocky Mountain Power does not approve streets going parallel within a power corridor. The best possibility would be a trail.

Mr. Layton said he did not feel a roundabout would slow traffic. Mr. Layton verified that the stub streets would not be extended through his property without his approval. Mr. Weaver confirmed that would be the case.

Chairman Gilbert said a roundabout is a huge deterrent to slowing traffic. He said the stub streets would be there with or without the roundabout, but nothing will happen on Mr. Layton's property.

Mr. Layton said he was reassured but still has a little distrust of the city.

There was a discussion regarding Swan Meadows Subdivision and the fencing that is missing.

Doug Damin, 706 North 2700 West, asked for there to be a stop sign where the Major Estates access intersects with 2700 West. Mr. Damin was assured by Mr. Weaver that there would be a stop sign and that the Swan Meadows access and the Major Estates access would not be offset. He asked questions about the phasing of the subdivision, installation of the water line and type of homes to be built. Mr. Nash addressed his questions.

The question was asked if the homes backing on to 3200 West would have the option to face 3200 West. Mr. Weaver said that would be an option but during final approval, the Planning Commission could make a recommendation that the driveway not access onto 3200 West.

Commissioner Fitzpatrick asked if there would be a temporary turnaround required until the street goes through. Mr. Weaver said the developer owns the property in phase 2 and can put in a road base surface for a turnaround.

Commissioner Fitzpatrick said she goes through a roundabout everyday and it definitely slows traffic.

There were no further comments or questions.

Chairman Gilbert called for a motion on the item. Commissioner Bodily moved that the Planning Commission grant preliminary approval to the Major Estates Subdivision Phases 1 and 2 subject to meeting all Staff requirements. Commissioner Pales seconded the motion, and the voting was unanimous.

2. KATSUKO YOSHIKAWA – CONDITIONAL USE REQUEST FOR AN ACCESSORY RESIDENTIAL DWELLING UNIT

This property is located at 1961 North Valley View Drive in an R-S (Residential Suburban) zoning district. The applicant and property owner is Katsuko Yoshikawa, represented by Susan Torres.

Planner I, Brandon Rypien, presented the request for an accessory residential dwelling unit that will be detached from the primary structure. Mr. Rypien presented an overview of the area. He said the detached accessory residential dwelling is required to meet the same minimum side yard setbacks as the primary dwelling. The minimum side yard setbacks for both the primary and accessory dwelling are ten (10) feet and twelve (12) feet. Detached accessory residential dwellings are also required to be set back a minimum of six (6) feet behind the primary dwelling and a minimum of twenty (20) feet from the rear property line. He said the proposed accessory residential dwelling meets all setback requirements.

Mr. Rypien said detached accessory residential dwellings are restricted to a maximum of 40 percent of the primary structure's living space up to 1,000 square feet with a maximum of two (2) bedrooms. The primary dwelling's living space is 2,395 square feet (40 percent = 958 square feet). The proposed accessory residential dwelling is 940 square feet, which is 39 percent of the primary dwelling's living space.

Mr. Rypien said the applicant is required to sign a letter of agreement that shall be recorded with the property. The letter of agreement must be signed and submitted to the Planning Division stating that the accessory residential dwelling will only be used by blood relatives of the property owners. The owner of the property must reside in either the primary or the accessory dwelling and it shall not be rented out to non-related persons. This letter of agreement shall be recorded against the lot in case the property owner sells the home and in order to make all future homeowners aware of the requirements of the accessory residential dwelling unit.

Mr. Rypien said Staff recommends the Planning Commission approve the conditional use request subject to the applicant meeting the following four conditions:

1. The applicant / owner shall sign a letter of agreement stating that only blood relatives are to occupy the accessory dwelling and that it cannot be rented out to a non-related person. The letter of agreement shall also be recorded against the lot in case the property owner decides to sell the home so that future homeowners become aware of the use of the accessory residential dwelling unit.
2. The accessory residential dwelling shall not exceed 958 square feet in living space and not have more than two (2) bedrooms.
3. All Building Division and Fire Department requirements shall be met before occupancy.
4. The applicant must complete all of the conditions prior to receiving the Final Inspection.

Commissioner Pales asked about the remodeling of the existing home and the conditions required. Mr. Rypien said the remodeling will be on the south side of the home and will not affect the proposed accessory dwelling unit.

Chair Gilbert asked Susan Torres, 3094 East Orson F Drive Layton, who represented the applicant, which is her mother, if she had received a copy of the conditions and understood them. Ms. Torres said she had a copy of the conditions and had no questions regarding the conditions.

Chairman Gilbert called for a motion on the item. Commissioner Pales moved that the Planning Commission approve the conditional use subject to the applicant meeting all Staff conditions, which are hereby adopted as 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. Commissioner Weaver seconded the motion, and the voting was unanimous.

The meeting adjourned at 8:02 p.m.



Julie K. Matthews, Planning Commission Secretary