

**Notice of the Work Meeting Agenda of the
PLANNING COMMISSION OF LAYTON, UTAH
FOR
WEDNESDAY, NOVEMBER 12, 2014**

A work meeting is scheduled to begin at **6:00 p.m.** for review of agenda items and conditional use updates.

ITEM #	WORK MEETING DISCUSSION TIME	ITEM
1	6:00 to 6:15 p.m.	ERIC MARTZ REZONE
2	6:15 to 6:30 p.m.	DUANE JOHNSON PARCEL SPLIT
3	6:30 to 6:45 p.m.	AT&T WIRELESS
4	6:45 to 7:00 p.m.	RACHAEL GAUSS

**Notice of the Regular Meeting Agenda of the
PLANNING COMMISSION OF LAYTON, UTAH
FOR
WEDNESDAY, November 12, 2014**

PUBLIC NOTICE is hereby given that the Planning Commission of Layton, Utah, has rescheduled their regularly scheduled meeting to **Wednesday, November 12, 2014**, in the City Council Chambers, 437 North Wasatch Drive, Layton, Utah, at **7:00 p.m.** A work meeting is scheduled to begin at **6:00 p.m.** for review of agenda items.

PLEDGE OF ALLEGIANCE AND INVOCATION

APPROVAL OF THE MINUTES: October 14, 2014

PUBLIC HEARING:

1. ERIC MARTZ – REQUEST FOR REZONE A (AGRICULTURE) TO R-S (RESIDENTIAL SUBURBAN

This .43 acre property is located at approximately 1242 East Pheasant View Drive. The property owner is Eric Martz.

PUBLIC REVIEW:

2. DUANE JOHNSON PARCEL SPLIT

This property is located at approximately 3100 North 650 East. The applicant and property owner is Duane Johnson.

3. AT&T WIRELESS – CONDITIONAL USE MODIFICATION TO A ADD BACKUP GENERATOR TO EXISTING SITE

This property is located at 2701 North Church Street. The applicant is AT&T Wireless represented by Anne Richards.

4. RACHAEL GAUSS – CONDITIONAL USE REQUEST FOR A BEAUTY SHOP

This property is located at 1826 East 3100 North, Suite 2. The property owner is KTG Enterprises represented by Rachael Gauss.



Julie K. Matthews, Planning Commission Secretary

In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.

Layton City does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services. If you are planning to attend this meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide assistance. Please telephone (801) 336-3780.

(PLEASE SEE OTHER SIDE)

Citizen Comment Guidelines

For the benefit of all who participate in a PUBLIC HEARING or in giving PUBLIC COMMENT during a City Council meeting, we respectfully request that the following procedures be observed so that all concerned individuals may have an opportunity to speak.

Time: If you are giving public input on any item on the agenda, please limit comments to three (3) minutes. If greater time is necessary to discuss the subject, the matter may, upon request, be placed on a future City Council agenda for further discussion.

New Information: Please limit comments to new information only to avoid repeating the same information multiple times.

Spokesperson: Please, if you are part of a large group, select a spokesperson for the group.

Courtesy: Please be courteous to those making comments by avoiding applauding or verbal outbursts either in favor of or against what is being said.

Comments: Your comments are important. To give order to the meeting, please direct comments to and through the person conducting the meeting.

Thank you

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

OCTOBER 14, 2014

MEMBERS PRESENT: Dawn Fitzpatrick, Gerald Gilbert, Wynn Hansen, Brett Nilsson, Randy Pulham, Dave Weaver, L.T. Weese

MEMBERS ABSENT: Brian Bodily, Robert Van Drunen

OTHERS PRESENT: Staff Members: Peter Matson, Kem Weaver, Tyson Willis, Chad Thomas

City Planner, Peter Matson, welcomed Chad Thomas, CDGB Specialist, who was filling in for Planning Commission Secretary, Julie Matthews.

Mr. Matson began the meeting explaining the issue with the public notice for the Planning Commission meeting. Since the meeting was not adequately noticed, it would have to be rescheduled to a later date. Staff proposed moving it to Thursday, October 16, 2014, since the Commission would already be present for a joint meeting with the City Council. Public comments would be taken if there were any. The meeting would be presented this evening with a discussion and comments taken. The Public Review and Public Hearing would be closed with a vote to be taken on Thursday evening.

Commissioner Gilbert said as discussed, the Land Use Authority ordinance would be indefinitely postponed.

Mr. Weaver explained that with regard to Daniel's Canyon annexation, the Council has accepted the annexation which was accepted and certified by the City Council on September 18, 2014. The annexation would not increase or decrease the number of lots.

Commissioner Fitzpatrick brought up an issue with sidewalk setbacks/right of ways within neighborhoods. The subdivision in which she lives has a sidewalk placement issue, and she knows of another subdivision with the same problem. She believed these mistakes are costly and should be caught earlier in the process. She asked Staff what Staff and the Commission could do to remedy this problem. This issue was discussed by Staff and the Commission.

The Commission accepted the proposal to meet on Thursday, October 16, 2014, at 5:30 p.m.

PUBLIC HEARING:

1. TITLE 19.18 – CHANGING FROM A BOARD OF ADJUSTMENT TO AN APPEAL AUTHORITY -- Ordinance Amendment – Title 19 (Zoning), Chapter 19.18 “Board of Adjustment” Replacing the Board of Adjustment with a Land Use Appeal Authority – Ordinance 14-09; Ordinance Amendment – Various Sections of the Layton Municipal Code - Changing all references of “Board of Adjustment” to “Land Use Appeal Authority” – Ordinance 14-10

2. DANIEL'S CANYON ANNEXATION AND REZONE REQUEST A (AGRICULTURE) TO R-1-10 (SINGLE FAMILY RESIDENTIAL)

This 2.143 acre property is located at approximately 1300 North 3300 East. The applicant and owner is River Ridge Partners, LC represented by Mark Thyne.

Planner II, Kem Weaver, explained that the reason for the annexation was to correct the plat by including areas that were left off the original annexation, but are contained in the Daniel's Canyon Subdivision plat.

PUBLIC REVIEW:

3. OLD FARM AT PARKWAY SUBDIVISION PHASES 3 & 4 – FINAL APPROVAL

This 4.54 acre property is located at approximately 800 South 800 West in an R-1-8 (Single Family Residential) zoning district. The applicant and owner is F4 Development (Owen Fisher) represented by Phil Holland. The applicant is proposing 15 single family building lots.

Planner II, Kem Weaver, presented the request for final approval for Old Farm at Parkway Subdivision Phases 3 & 4. Commissioner Fitzpatrick noted the Engineering Division comment that letters of acceptance were required from homeowners before the preconstruction meeting. She asked why the sidewalk issues were not being caught before the plat recording.

Mr. Weaver said the notation most likely applied to Phase I where there was a survey error that caused the sidewalk issue.

Tyson Willis, Associate City Attorney, said the sidewalk was in the public right of way (in the parkstrip) and not on a homeowner's property.

Mr. Weaver said the contractors are supposed to follow the construction drawings approved at the preconstruction meeting. He said the sidewalk is not put in until the homes are built to avoid damage during construction and the builders are not following the plans at that point. The next home may follow the same line.

Commissioner Fitzpatrick asked at what point these errors are failing to be caught. It is a huge expense to the homeowner.

Mr. Weaver said it would be the builder's expense to correct errors.

Commissioner Fitzpatrick said in her case, it is an easement issue. Either an easement is given to the City or the sidewalk has to be moved and landscaping re-installed at considerable expense. She said Roberts Farms 6 also had that issue.

Commissioner Hansen commented that those items were checked off on the final inspection for his home.

Commissioner Weese commented on an issue in Hooper where the builder just eyeballed the fence location.

Mr. Weaver said when Planners check the building permit, they note the width of the park strip and sidewalk which determines the setback. He said the building inspectors check the site plan against what is on the ground. He said he would talk with the Building Official to see how the inspectors are checking the sidewalk/park strip issues and make sure they measure off the site plans.

There was a discussion on the cost of correcting the mistakes.

Commissioner Fitzpatrick asked if there was secondary pressurized water in Old Farm at Parkway or if the comment in the Engineering memo was just in anticipation of it in the future. Mr. Weaver said that Kayscreek Irrigation was going to bore under the freeway and has indicated the irrigation should be available in 2015.

Commissioner Weaver asked about the seven restricted lots and if the "R" designation should be added to lots 401 and 407. Mr. Weaver said that was correct and he would make sure it was on the final mylar.

Commissioner Fitzpatrick asked if the reason the Davis County Flood Control signature could be taken off the plat was because they no longer had control and FEMA had the control. Mr. Weaver explained that the flood is FEMA's jurisdiction, Davis County Flood Control still maintains the creek but they will not sign the plat.

Councilmember Day said he had a complaint from Tyson Roberts who lives by this phase. He said the fencing had not yet gone in on the previous phase and he wanted to make sure the fencing went in on time in this phase.

Mr. Weaver said Staff had talked to Henry Walker Homes twice about getting the fencing installed. He said that building permits could be held until the fencing is installed.

Mr. Matson asked what part of the Roberts' property Phase 2 touches. Mr. Day said it touches the farmyard area. Mr. Matson said they would check to see if the fencing was just designated for the farmland itself and not around the house. Mr. Roberts feels the entire property is farming.

Mr. Matson said the fencing is to maintain a separation between homes and an agriculture use.


Minutes transcribed by Julie K. Matthews, Planning Commission Secretary

LAYTON CITY PLANNING COMMISSION MEETING MINUTES

OCTOBER 14, 2014

MEMBERS PRESENT: Brian Bodily, Gerald Gilbert, Wynn Hansen, Brett Nilsson, Dave Weaver, L.T. Weese

MEMBERS ABSENT: Dawn Fitzpatrick, Randy Pulham, Robert Van Drunen

OTHERS PRESENT: Staff Members: Peter Matson, Kem Weaver, Tyson Willis, Chad Thomas for Julie Matthews, Planning Commission Secretary

Chairman Gilbert called the meeting to order shortly after 7:00 p.m. The Pledge of Allegiance was recited and an invocation was given by Commissioner Pulham.

A group of Boy Scouts was introduced.

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

PUBLIC HEARING:

City Planner, Peter Matson, noted that Item #1 would be tabled to a future date.

Mr. Matson explained the noticing requirements for a Public Meeting for holding this meeting and the agenda items. The individual items have been noticed properly. With a Monday holiday and some Staff members on vacation, the 24-hour notice requirement for the meeting did not take place. He recommended that the agenda items be reviewed. Six of the seven Planning Commissioners members present would be present at a joint City Council and Planning Commission Meeting on Thursday, October 16. He said Staff recommends that the Commission vote on the items at 5:30 p.m. on Thursday.

Chairman Gilbert said the items would be reviewed and questions taken during this current meeting. Associate City Attorney, Tyson Willis, said that the votes to continue the items to Thursday, October 16, 2014, should be done individually.

1. TITLE 19.18 – CHANGING FROM A BOARD OF ADJUSTMENT TO AN APPEAL AUTHORITY -- Ordinance Amendment – Title 19 (Zoning), Chapter 19.18 “Board of Adjustment” Replacing the Board of Adjustment with a Land Use Appeal Authority – Ordinance 14-09; Ordinance Amendment – Various Sections of the Layton Municipal Code - Changing all references of “Board of Adjustment” to “Land Use Appeal Authority” – Ordinance 14-10

Chairman Gilbert said Item #1 would be postponed to an indefinite date. He called for a motion on the item. Commissioner Fitzpatrick asked if the item needed to be brought up again on Thursday night, October 16, 2014.

Mr. Willis said that the item should be tabled to Thursday, August 16, and then would need to be brought up on the Thursday night meeting and tabled to an indefinite date. Commissioner Fitzpatrick said she would not make a motion because she would be absent on Thursday night.

Commissioner Weaver moved that the Planning Commission defer any action on item #1, changing from the Board of Adjustment to an Appeal Authority until the Commission reconvenes on Thursday, October 16, 2014. Commissioner Nilsson seconded the motion and the voting was unanimous.

2. DANIEL'S CANYON ANNEXATION AND REZONE REQUEST A (AGRICULTURE) TO R-1-10 (SINGLE FAMILY RESIDENTIAL)

This 2.143 acre property is located at approximately 1300 North 3300 East. The applicant and owner is River Ridge Partners, LC represented by Mark Thayne.

Planner II, Kem Weaver, said the property proposed for annexation is a combination of parcels measuring at 2.143 acres. He pointed out the annexation area consists of three separate parcels that were discovered not to have been annexed into the City when the Daniel's Canyon Subdivision plat was reviewed at the County for recording. These areas need to be annexed into the City before the subdivision plat can be recorded.

He said the rezone request is to rezone the property to R-1-10, Single Family Residential, which is in compliance and the same zoning as the Daniel's Canyon Subdivision. The Daniel's Canyon annexation petition was accepted and certified by the City Council on September 18, 2014. He said the R-1-10 zoning is consistent with the General Plan recommendation of single family residential of 2-4 units per acre. The zoning in the surrounding area is also R-1-10.

Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation to the City Council to grant approval of the annexation request and rezone to R-1-10 subject to meeting all Staff requirements.

There were no questions from the Commission or the audience.

Chairman Gilbert called for a motion on the item.

Commissioner Hansen made a motion to postpone any action on this item until the meeting on Thursday, August 16, 2014. Commissioner Weese seconded the motion, and the voting was unanimous.

Chairman Gilbert called for a motion to close the Public Hearing and open Public Review. Commissioner Hansen moved to close the Public Hearing and open Public Review. The motion was seconded by Commissioner Nilsson. The voting was unanimous.

PUBLIC REVIEW:

3. OLD FARM AT PARKWAY SUBDIVISION PHASES 3 & 4 – FINAL APPROVAL

This 4.54 acre property is located at approximately 800 South 800 West in an R-1-8 (Single Family Residential) zoning district. The applicant and owner is F4 Development (Owen Fisher) represented by Phil Holland. The applicant is proposing 15 single family building lots.

Mr. Weaver presented the request for final approval. He said that on January 24, 2012, the Planning Commission approved the preliminary plat of what was then titled Roberts Creek Subdivision and is now called Old Farm at Parkway Subdivision located at approximately 800 West 800 South. Similar residentially zoned land is to the north, east and agricultural uses are to the west in unincorporated Davis County.

Mr. Weaver said the plat for Phase 3 will consist of 15 lots on 4.54 acres with each lot being greater than 8,000 square feet in size. The frontage of each lot meets the frontage requirements of the R-1-8 zone.

The plat for Phase 4 will consist of 7 lots on 2.09 acres with each lot being greater than 8,000 square feet in size. Parcel A is a required detention basin located at the southwestern edge of Phase 4. Maintenance of this detention basin is the responsibility of the Old Farm at Parkway homeowners association. All seven lots in this phase will be classified as "restricted" lots and are required to meet FEMA flood plain regulations and be approved by FEMA prior to building permits being issued. These lots back onto Kayscreek and are required to meet FEMA's new flood plain guidelines. The Kayscreek trail easement and trail will be located at the rear of these lots within a 20 foot easement along the Creek. The trail will be developed by the developer and maintained by the City.

Mr. Weaver said that based on this information, Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the final plats for Old Farm at Parkway Subdivision Phases 3 and 4 subject to meeting staff requirements as outlined in staff memorandums.

Commissioner Hansen asked when the seven lots would be noted as restricted. Mr. Weaver said that before the final mylar is printed, the lots will be noted as "R" restricted lots. Commissioner Hansen asked if that notation needed to be included in the motion, Mr. Weaver replied that it would be taken care of by Staff.

Commissioner Weaver asked where the detention basin was located. Mr. Weaver said it was in Parcel A by lot 407. Commissioner Weaver asked about the maintenance by the homeowner's association. Mr. Weaver said the detention basin would be landscaped with grass and trees.

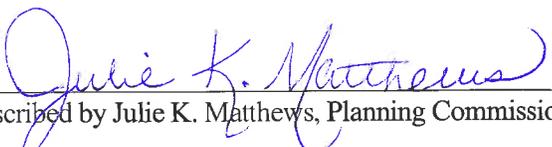
Commissioner Nilsson asked where the fencing would be. Mr. Weaver said a minimum six foot chain link fence with a top rail would be on the western boundary. He pointed out another area that may need a chain link fence if there is agriculture use on the property. There would not be both chain link and vinyl. The fence has to be put in within 30 days of ground being broken. The fence keeps debris out of the fields where the farmer is trying to grow crops. He also pointed out the lots in Phase 3.

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

Chairman Gilbert called for a motion on the item. Commissioner Weaver moved that the Planning Commission postpone their vote on this agenda item until they reconvene on Thursday, October 16. The motion was seconded by Commissioner Pulham. The voting was unanimous.

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

The meeting adjourned at approximately 7:28 p.m.



Minutes Transcribed by Julie K. Matthews, Planning Commission Secretary

LAYTON CITY PLANNING COMMISSION MEETING MINUTES

OCTOBER 16, 2014

MEMBERS PRESENT: Brian Bodily, Gerald Gilbert, Wynn Hansen, Brett Nilsson, Dave Weaver, L.T. Weese

MEMBERS ABSENT: Dawn Fitzpatrick, Randy Pulham, Robert Van Drunen

OTHERS PRESENT: Staff Members: Kem Weaver, Chad Thomas

Chairman Gilbert called the meeting to order at 5:31 p.m. The Commission asked if Legal staff needed to be present at the meeting. The Staff said an attorney did not need to be present.

The following are the motions and voting on the items that were presented at the October 14, 2014, Planning Commission Meeting.

1. TITLE 19.18 – CHANGING FROM A BOARD OF ADJUSTMENT TO AN APPEAL AUTHORITY -- Ordinance Amendment – Title 19 (Zoning), Chapter 19.18 “Board of Adjustment” Replacing the Board of Adjustment with a Land Use Appeal Authority – Ordinance 14-09; Ordinance Amendment – Various Sections of the Layton Municipal Code - Changing all references of “Board of Adjustment” to “Land Use Appeal Authority” – Ordinance 14-10

Commissioner Nilsson moved to table Item 1 indefinitely. Commissioner Weaver seconded the motion, and the voting was unanimous.

2. DANIEL’S CANYON ANNEXATION AND REZONE REQUEST A (AGRICULTURE) TO R-1-10 (SINGLE FAMILY RESIDENTIAL)

This 2.143 acre property is located at approximately 1300 North 3300 East. The applicant and owner is River Ridge Partners, LC represented by Mark Thayne.

Commissioner Hansen moved to forward a positive recommendation to the City Council to approve the Daniel’s Canyon annexation. Commissioner Bodily seconded the motion, and the voting was unanimous.

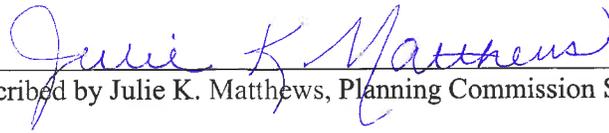
Commissioner Hansen moved that the Planning Commission forward a positive recommendation to the City Council to approve the rezone from A to R-1-10. Commissioner Bodily seconded the motion, and the voting was unanimous.

3. OLD FARM AT PARKWAY SUBDIVISION PHASES 3 & 4 – FINAL APPROVAL

This 4.54 acre property is located at approximately 800 South 800 West in an R-1-8 (Single Family Residential) zoning district. The applicant and owner is F4 Development (Owen Fisher) represented by Phil Holland. The applicant is proposing 15 single family building lots.

Commissioner Weaver called for a motion on the item. Commissioner Hansen 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 Nilsson seconded the motion and the voting was unanimous.



Minutes Transcribed by Julie K. Matthews, Planning Commission Secretary

**LAYTON CITY
AGENDA ITEM COVER SHEET**

Item Number: 1

Subject: Rezone Request – 1242 East Pheasant View Drive – A (Agriculture) to R-S (Residential Suburban) – Ordinance 14-22

Background: The land-locked property proposed for R-S zoning contains .43 acres. The applicant, Eric Martz, has purchased the property and recently received annexation approval from the City Council. If approved, the .43 acres would no longer be land-locked and would create an R-S zoned parcel of 1.19 acres that would have frontage onto Pheasant View Drive.

The property is surrounded by R-1-8 zoning except for property to the south, which resides in Kaysville City. The majority of the 1.19 acre parcel currently has an assisted living facility as the land use. With the annexation and rezone of the .43 acres the applicant will expand his assisted living facility for memory care residents only. This would be expanded under the existing conditional use permit and the Federal Fair Housing Act for reasonable accommodations.

The Land Use Element of the General Plan indicates that the R-S zone is applicable in residential areas with different residential zoning classifications surrounding the proposed R-S zone.

Alternatives to the Motion: Alternatives are to 1) Recommend the Council adopt Ordinance 14-22 approving the rezone from A to R-S; or 3) Recommend the Council not adopt Ordinance 14-22 denying the rezone from A to R-S.

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to adopt Ordinance 14-22 approving the rezone from A to R-S based on consistency with the General Plan recommendations for residential zoning in this area.

ORDINANCE 14-22
(Eric Martz Rezone)

AN ORDINANCE AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING CLASSIFICATION OF THE HEREINAFTER DESCRIBED PROPERTY, LOCATED AT APPROXIMATELY 1242 EAST PHEASANT VIEW DRIVE FROM A (AGRICULTURE) TO R-S (RESIDENTIAL SUBURBAN) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has determined that with the annexation of said property, a change in the zoning classification for the property described herein below is necessary; and

WHEREAS, the Planning Commission has reviewed the request and has recommended that the rezone of said property from A to R-S be approved; and

WHEREAS, the City Council has reviewed the Planning Commission's recommendation and has received pertinent information in the public hearing regarding the proposal; and

WHEREAS, at the conclusion of the public hearing and upon making the necessary reviews, the City Council has determined that this amendment is rationally based, is reasonable, is 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: Repealer. If any provisions of the City's Code heretofore adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. The zoning ordinance is hereby amended by changing the zone classification of the following property from A (Agriculture) to R-S (Residential Suburban).

BEG AT A PT N 89°46'40" W 388.090 FT & S 116.83 FT FR THE NE COR OF THE SW 1/4 OF SEC 27-T4N-R1W, SLM, TO A PT SE'LY & PERP'LY DISTANT 25.00 FT, M/L, FR AN EXIST 5 FT WOOD FENCE; TH S 60°03'15" W 145.58 FT, WH IS SE'LY & PERP'LY DISTANT 25 FT FR SD WOOD FENCE TO THE E'LY BNDRY OF EGBERT'S PLACE SUB; TH N 31°04'15" W 131.85 FT, M/L, TO THE S'LY LINE OF PPTY AS DEEDED IN BK 2238 AT PG 770; TH N 60°03'15" E 147.15 FT TO A PT EXTENDING NW'LY FR THE NW COR OF PPTY AS DEEDED IN BK 2158 AT PG 1035 & BEING THE W'LY BNDRY OF FIDDLERS CREEK NO 3; TH S 30°23'19" E 131.829 FT ALG SD SUB & DEED LINE TO THE POB.

CONT. 0.43 ACRES

SECTION III: Update of Official Zoning Map. The Official Layton City Zoning Map is hereby amended to reflect the adoption of this ordinance.

SECTION IV: 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 the said ordinance.

SECTION V: 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 more remote from the date of passage thereof.

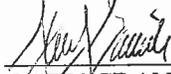
PASSED AND ADOPTED by the City Council of Layton, Utah, this _____ day of _____, 2014.

ROBERT J STEVENSON, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:



GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:


WILLIAM T. WRIGHT, Director
Community & Economic Development



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: Planning Commission

From: Kem Weaver, Planner II 

Date: November 12, 2014

Re: Rezone Request – A (Agriculture) to R-S (Residential Suburban)

Location:	1242 East Pheasant View Drive
Current Zoning:	A (Agriculture) – .43 Acres (18,731 square feet)
Proposed Zoning:	R-S (Residential Suburban)
Current Minimum Lot Size:	A (Agriculture) – 1 Acre
Proposed Minimum Lot Size:	R-S (Residential Suburban) – 15,000 Square Feet

Description:

The property proposed for R-S zoning is .43 acres located on the south boundary between Layton City and Kaysville City as a land locked parcel. The property is surrounded by R-1-8 zoning with Kaysville City to the south.

Background:

On November 6, 2014, the City Council approved the annexation and annexation agreement for the .43 acre land locked parcel. The property proposed for R-S zoning is a vacant land-locked parcel. The applicant, Eric Martz, owns the .43 acre parcel of property and will combine it with the adjacent larger R-S parcel if the rezone is approved. By combining the two parcels the larger parcel will become 1.19 acres with the .43 acres no longer being land-locked.

With the annexation and rezone of the .43 acres the applicant will expand his assisted living facility for memory care residents only. This land use will be expanded under the existing conditional use permit and the Federal Fair Housing Act for reasonable accommodations.

The Land Use Element of the General Plan indicates that residential type developments are appropriate in this area of Layton City.

Staff Recommendation:

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the rezone from A to R-S based on consistency with the General Plan recommendations for residential type developments in this area of Layton City.

PLANNING COMMISSION

November 12, 2014

Eric Martz

Rezone
A to R-S

Legend

-  City Boundary
-  Interstate 15
-  Highways
-  Lakes
-  Streams
-  - Project Site

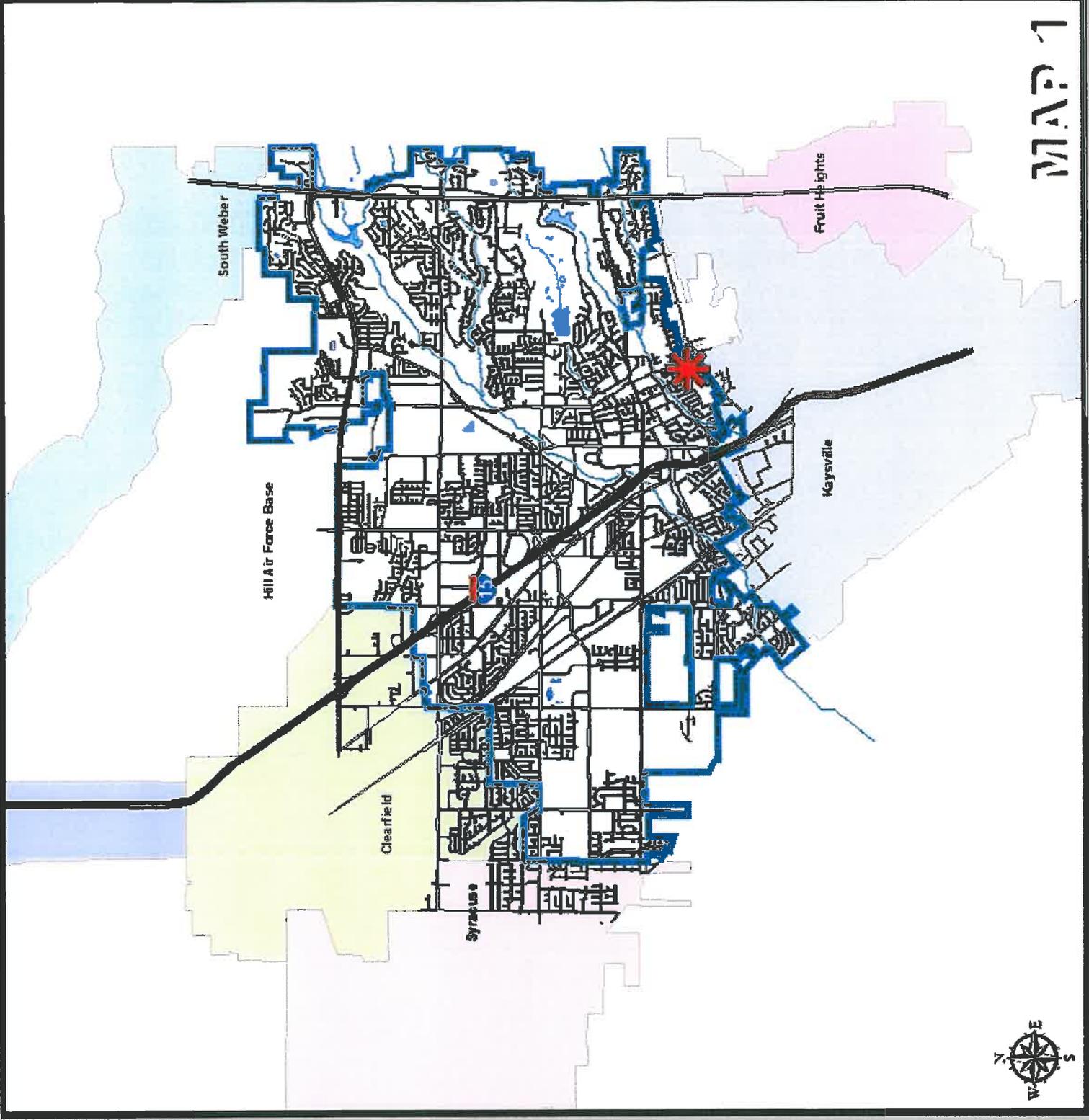


EXHIBIT "B"



**PLANNING
COMMISSION**

November 12, 2014

Eric Martz

**Rezone
A to R-S**

Legend

Centerlines

City Boundary

Interstate 15

Highways

Lakes

Streams

Rezone Area

1 inch = 104 feet

**LAYTON CITY
AGENDA ITEM COVER SHEET**

Item Number: 2

Subject: Parcel Split – Duane Johnson Shops – Approximately 3100 North 650 East

Background: The applicant, Duane Johnson, is requesting parcel split approval to separate his property and existing building from the one large parcel that is planned for six office warehouse buildings.

Alternatives: Alternatives are to; 1) Recommend the City Council approve the parcel split for Duane Johnson Shops; or 2) Recommend the City Council deny granting approval of the parcel split.

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the parcel split subject to meeting staff requirements as outlined in staff memorandums.



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: Planning Commission

From: Kem Weaver, Planner II

A handwritten signature in black ink, appearing to be "Kem Weaver", written over a horizontal line.

Date: November 12, 2014

Re: Duane Johnson Shops Parcel Split

Location: Approximately 3100 North 650 East

Zoning: M-1 (Light Manufacturing/Industrial)

Background:

The applicant, Duane Johnson, is requesting parcel split approval for his industrial development. The proposed parcel split is located between 650 East and 750 East and north of Highway 193. The development is surrounded by M-1 zoning and land uses that consist of office/warehouse buildings and car tow yards.

The industrial development is planned to accommodate six office/warehouse buildings. Buildings 1 and 6 have been constructed. Building 1 is located at the southern boundary of the development and is currently occupied. The parcel split will separate Building 1/Phase 1 from the remaining property that will be developed with the remaining planned office/warehouses.

There is not a minimum lot size or street frontage requirement in the M-1 zone. The parcel split will meet all zoning ordinance requirements.

Staff Recommendation:

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the parcel split subject to meeting staff requirements as outlined in staff memorandums.



Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Duane Johnson, soderbyllc@outlook.com
CC: COMMUNITY DEVELOPMENT, FIRE DEPARTMENT
FROM: Debi Richards, Assistant City Engineer
DATE: October 3, 2014
**SUBJECT: DUANE JOHNSON PARCEL SPLIT
3120 NORTH 650 EAST**

I have reviewed the submitted site plan and easements/agreements for a parcel split at 3120 North 650 East received on September 24, 2014. The engineering department recommends the parcel split be approved subject to the following comments. Future development will not be reviewed until these items are completed.

1. Legal descriptions for parcel 1 and the remainder parcel must be submitted for review and approval. Based on the Davis County Records the proposed parcel 1 consists of a portion of parcel 09-013-0144 and 09-013-0006.
2. The detention basin easement is located on two parcels 09-013-0144 and 09-013-0006. This should be noted on the easement.
3. The modifications to the existing storm drain detention basin must be completed prior to approval of a future site plan.
4. The agreements and easements should be recorded and a copy of the recorded documents submitted to Layton City.
5. Once the parcel split has been approved and recorded, a site plan for each lot must be submitted prior to issuing a building permit.

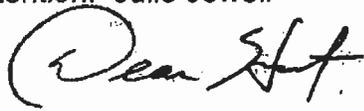


• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
FAX: (801) 546-0901

Mayor • J. Stephen Curtis
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

MEMORANDUM

TO: Community Development, Attention: Julie Jewell

FROM: Dean Hunt, Fire Marshal 

RE: Duane Johnson Parcel Split @ 3120 North 650 East

CC: Duane Johnson, sodery@qwestoffice.net

DATE: June 4, 2013

I have reviewed the site plan and the parcel split request received on June 11, 2013 for the above referenced project. The Fire Department, with regards to this parcel split, does not have any comments or concerns at this time. However, for future development our concerns include but are not limited to the following:

1. A minimum fire flow requirement will be determined for buildings that are to be built on this property. The fire flow requirement must be determined by the Fire Prevention Division of this department and will be based upon the type of construction as listed in the building code and total square footage of the building. Prior to applying for a building permit, provide the Fire Prevention Division of this department the type and size of structure(s) to be built.
2. Designated fire access roads shall have a minimum clear and unobstructed width of 26 feet. Access roads shall be measured by an approved route around the exterior of the building or facility. If dead-end roads are created in excess of 150 feet, approved turnarounds shall be provided.
3. Where applicable, two means of egress may be required.
4. On site fire hydrants may be required.

These plans have been reviewed for Fire Department requirements only. Other departments may review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DBH\Duane Johnson PS :kn
Plan # S13-076, District #11
Project Tracker #LAY 1306111373



PLANNING COMMISSION

November 12, 2014

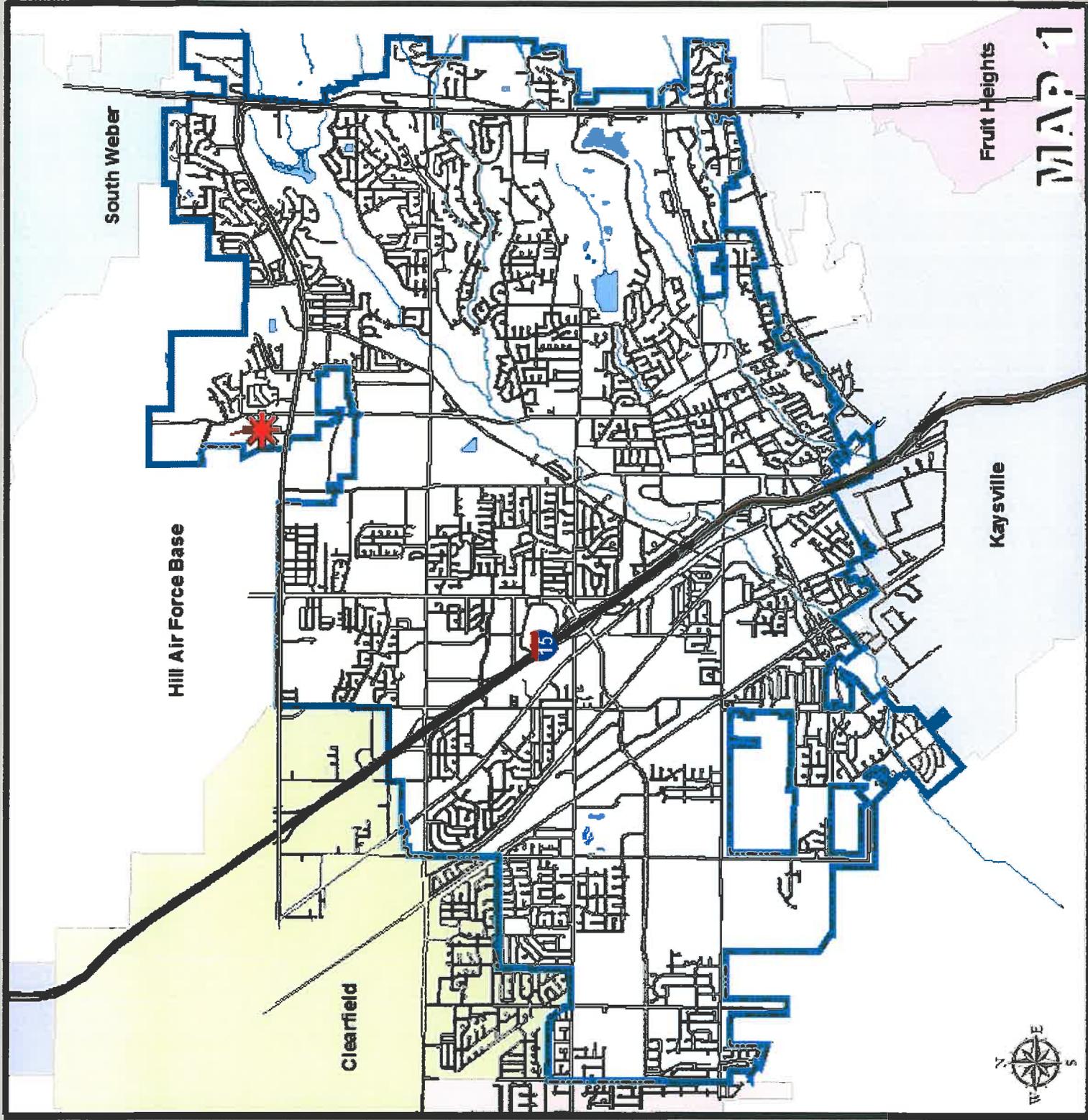
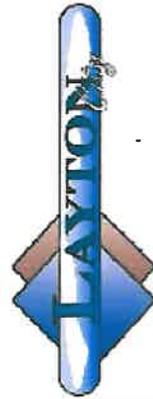
Duane Johnson Shops

Parcel Split

Legend

-  City Boundary
-  Interstate 15
-  Highways
-  Lakes
-  Streams

 Project Site



Fruit Heights

MAP 1

PLANNING COMMISSION

November 12, 2014

Duane Johnson Shops

Parcel Split

Legend

 City Boundary

 Centerlines

 Highways

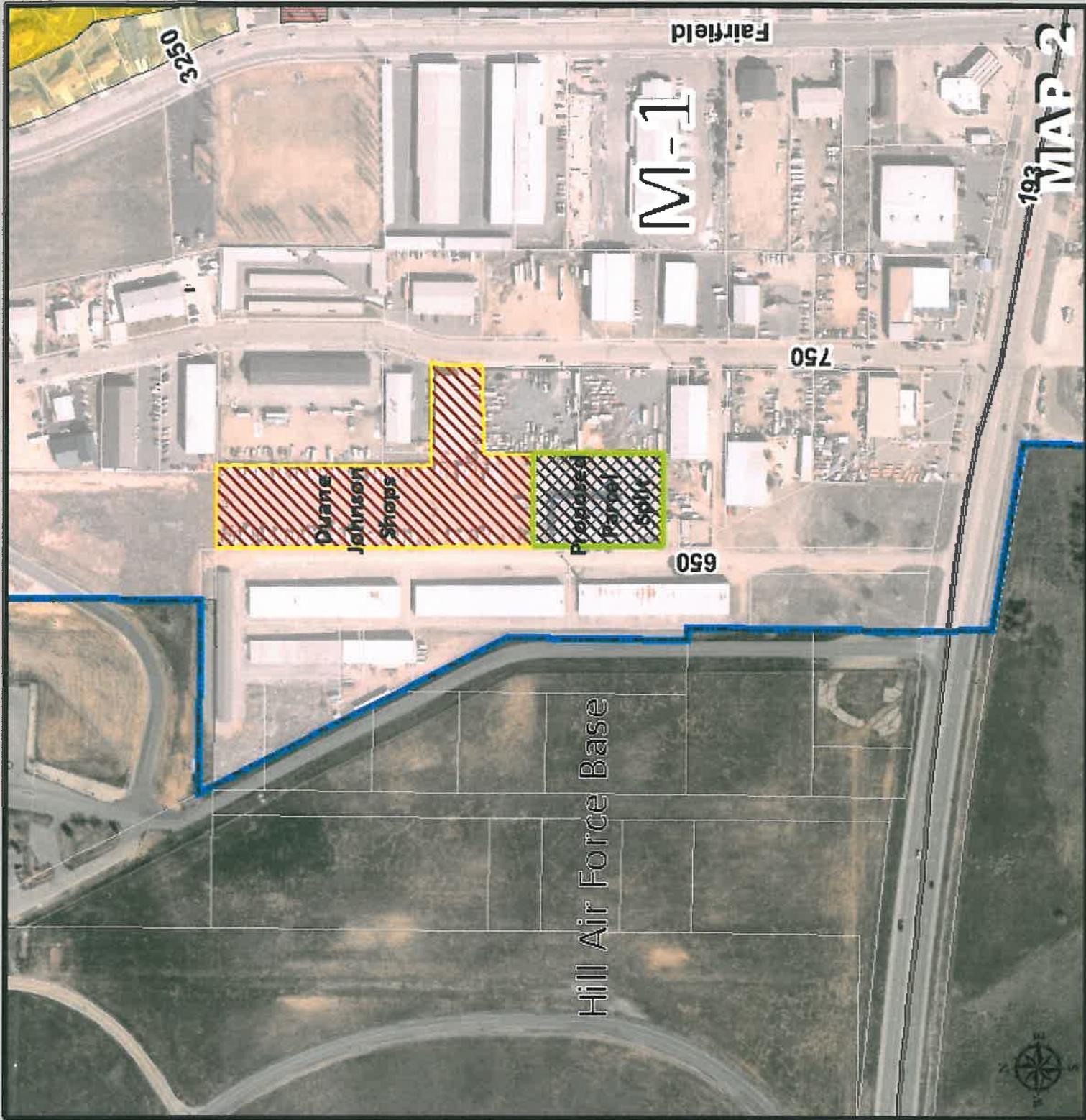
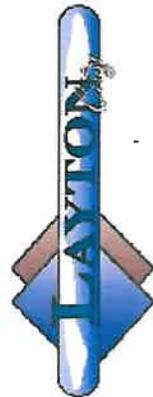
 Interstate 15

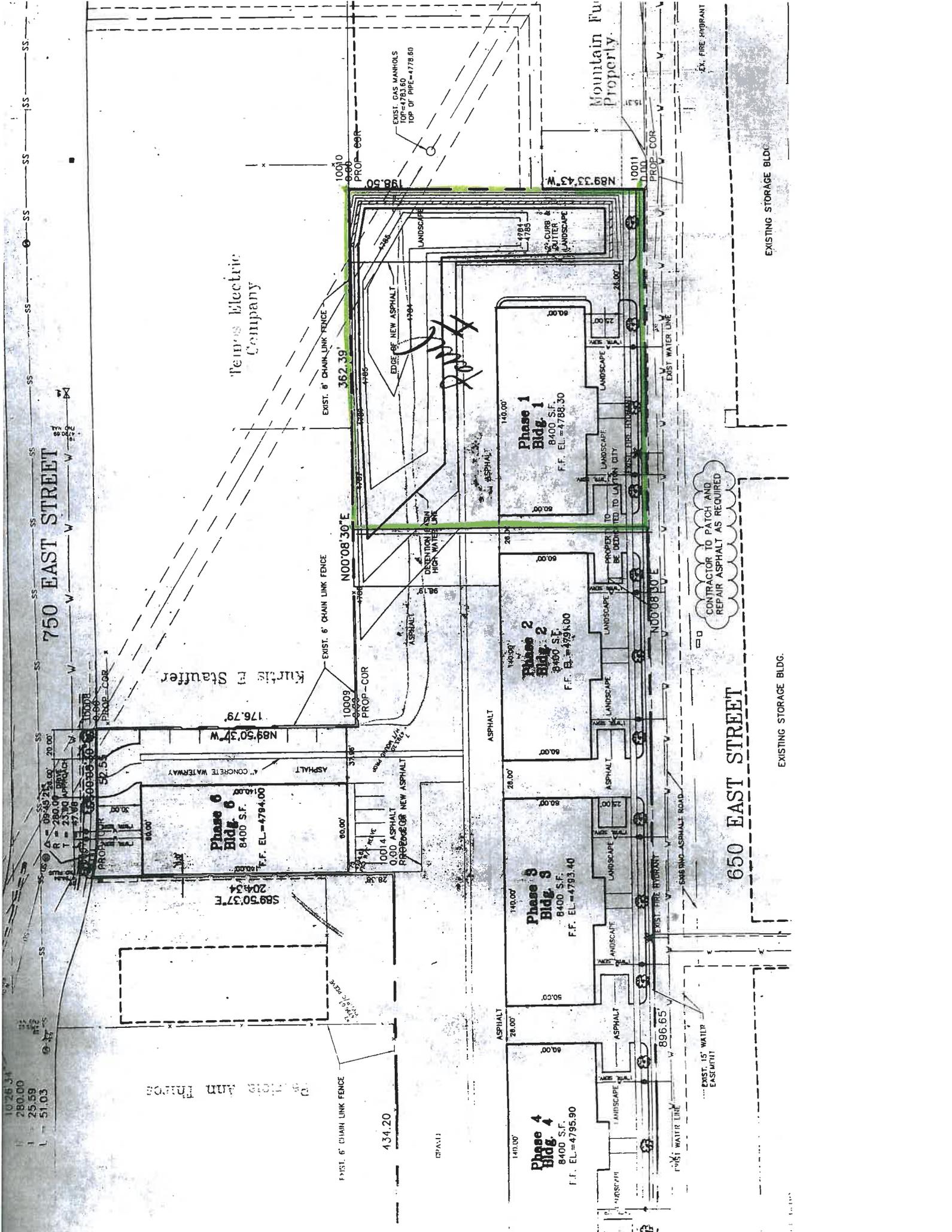
 Streams

 Lakes

 Project Area

1 inch = 269 feet





750 EAST STREET

650 EAST STREET

Terres Electric Company

Kurtis E Stauffer

CONTRACTOR TO PATCH AND REPAIR ASPHALT AS REQUIRED

Handwritten: Patch

10.25.34
280.00
25.59
51.03

20' x 10' ANN FENCE

EXIST. 6" CHAIN LINK FENCE

434.20

GRASS

ASPHALT

Phase 4 Bldg. 4

8400 S.F.
F.F. EL. = 4795.90

LANDSCAPE

EXIST WATER LINE

EXIST 15' WATERS EASEMENT

ASPHALT

ASPHALT

ASPHALT

ASPHALT

ASPHALT

ASPHALT

ASPHALT

ASPHALT

SS

**LAYTON CITY
AGENDA ITEM COVER SHEET**

Item Number: 3

Subject: Conditional Use Modification for a “Telecommunications Facility” located at 2701 North Church Street (Fire Station #52)

Background: The applicant, Anne Richards, representing AT&T, is proposing to expand an existing telecommunications facility for a new backup generator. The Fire Department has agreed to place the new backup generator on the north side of the existing equipment compound. The property is located east of Neighborhood Walmart and north of Wyndom Highlands Subdivision.

Alternatives: Alternatives are to 1) Grant conditional use approval; or 2) Grant conditional use approval with additional conditions.

Recommendation: Staff recommends conditional use approval be granted, subject to the applicant meeting all staff requirements.



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: Planning Commission
From: Brandon Rypien, Planner 
Date: November 12, 2014
Re: Conditional Use modification to expand a Telecommunications Facility

Location: 2701 N. Church Street (Fire Station #52)

Zoning: CP-1 (Planned Neighborhood Commercial)

Background:

The applicant is proposing to expand the equipment compound of the telecommunication facility to accommodate a new backup generator. The Fire Department agreed on two possible locations to place the backup generator and AT&T has decided to place the backup generator on location #2 (See Map).

Staff Review:

The Fire Station is considered a community use and telecommunication Facilities are required to receive conditional use approval. Any expansion of the telecommunications facility or increase in the height of the tower requires a conditional use amendment.

Originally, the backup generator was proposed by AT&T to be located on the south side of the existing equipment compound. After the Fire Department reviewed the potential impacts to the residents to the south of the Fire Station, the Fire Department requested that the backup generator be placed on the north side of the existing compound.

Site Plan Review

The Fire Station screens the existing telecommunications facility from the street. However, the proposed expansion area places the backup generator north of the Fire Station building, which can be seen from the street. The fenced area surrounding the backup generator needs to be slatted on the north and east side to obstruct the view of the generator from the street.

Having the backup generator on the north side of the existing equipment compound places it 150 feet away from the nearest residence. The backup generator will kick on once a week

for about 15 minutes and the noise level is 66dB(A) at 7 m (23 ft.). The purpose of the backup generator is to function as the backup power source when there is a power outage.

Staff Recommendation:

Staff recommends approval of the conditional use modification to expand a telecommunications facility subject to the following conditions.

1. The fence surrounding the backup generator shall be slatted on the north and east side to obstruct the view from the street.
2. All Building Division and Fire Department requirements shall be met prior to Final Inspection.

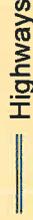
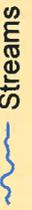
PLANNING COMMISSION

November 12, 2014

AT&T Wireless Telecommunication Facility Expansion

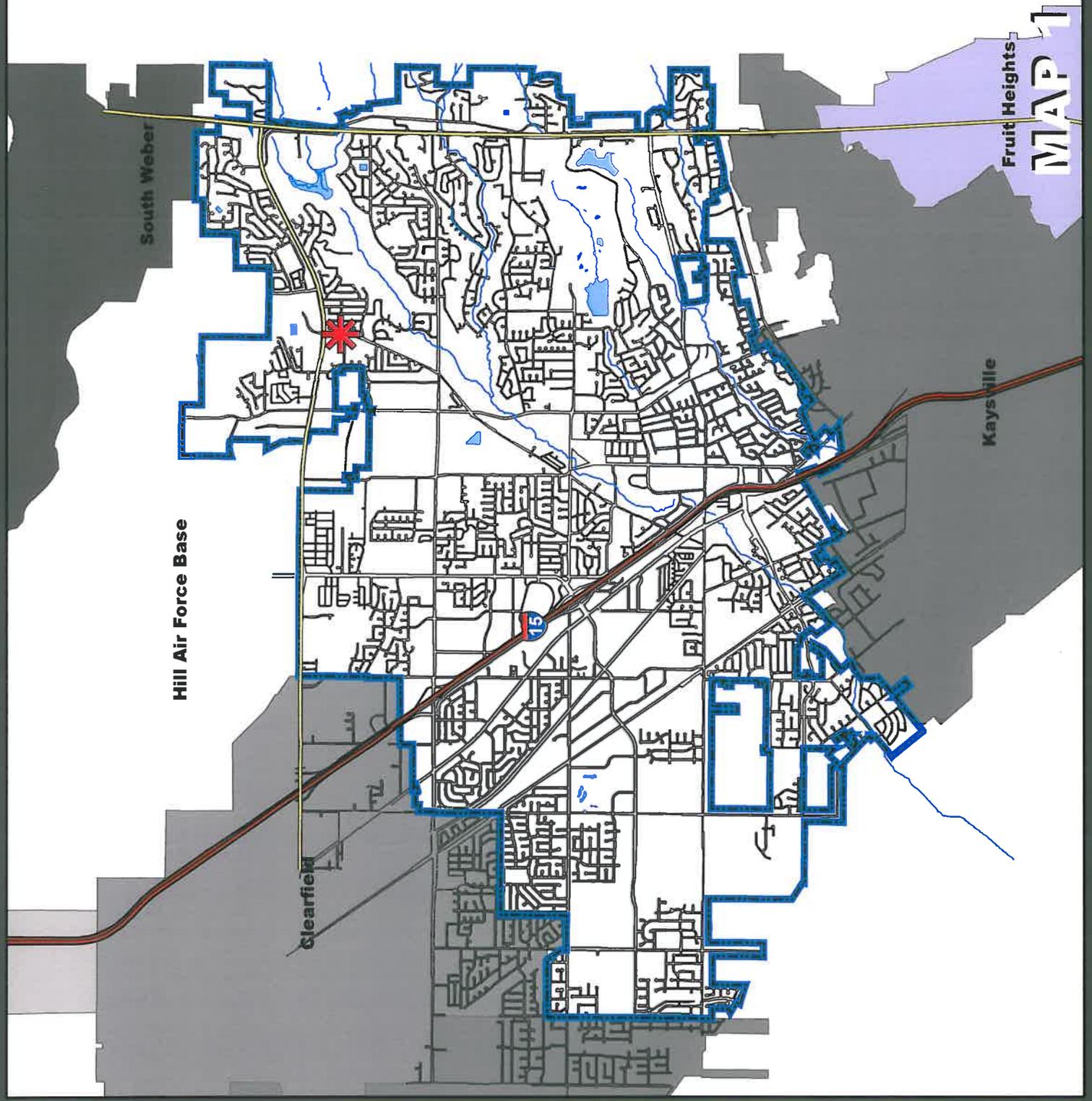
Conditional Use Modification

Legend

-  City Boundary
-  Interstate 15
-  Highways
-  Lakes
-  Streams



- Project Site



PLANNING COMMISSION

November 12, 2014

AT&T Wireless Telecommunication Facility Expansion

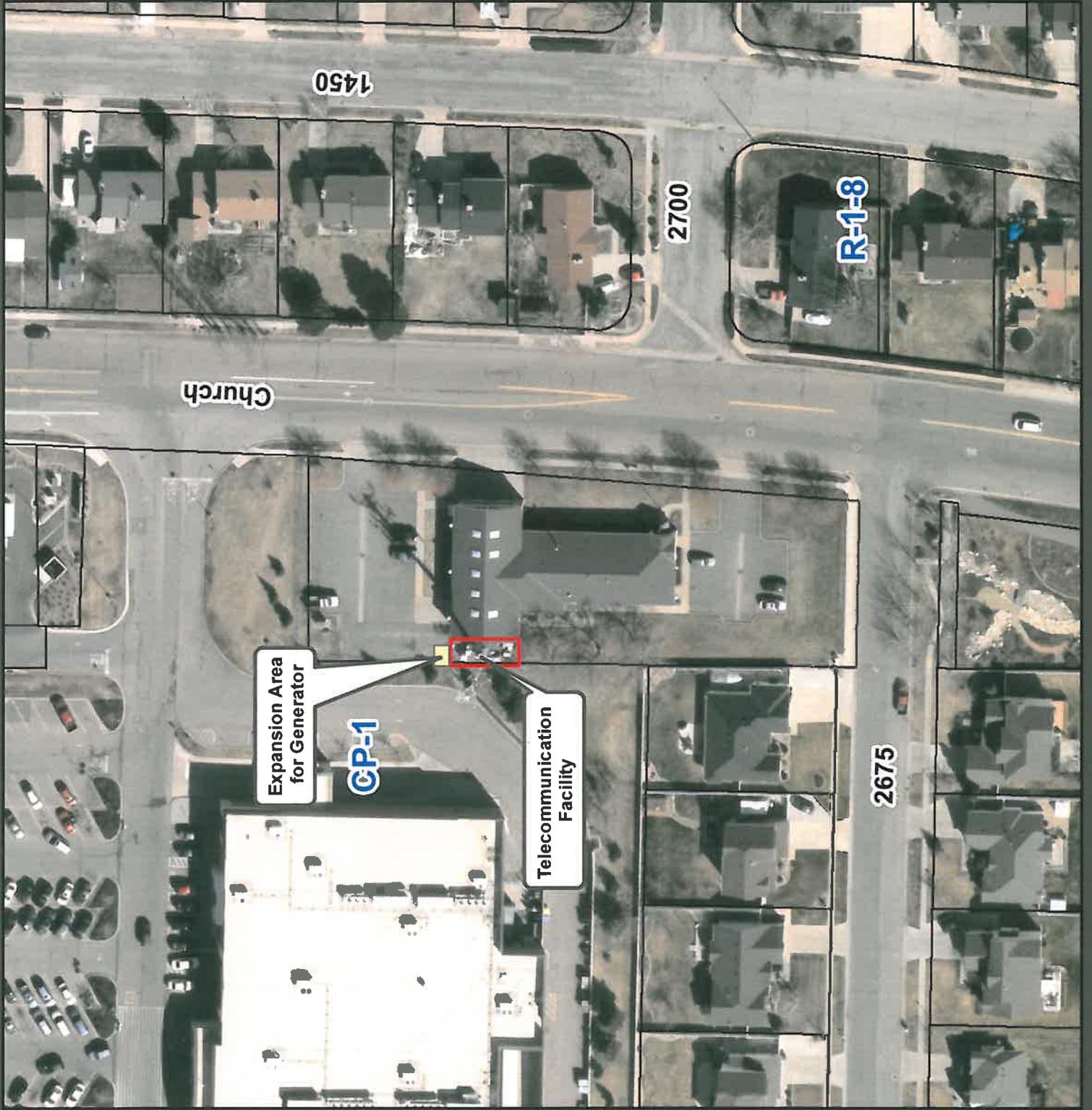
Conditional Use Modification

Legend

- City Boundary
- Interstate 15
- Property
- Highways
- Lakes
- Streams



1 inch = 80 feet



Church

1450

2700

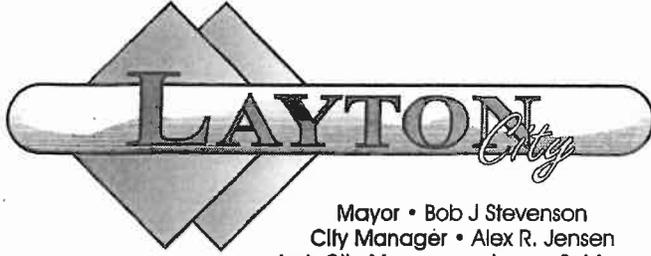
R-1-8

Expansion Area
for Generator

CP-1

Telecommunication
Facility

2675



Mayor • Bob J Stevenson
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
Fax: (801) 546-0901

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Community Development, Attention: Julie Matthews

FROM: Douglas K. Bitton, Fire Prevention Specialist 

RE: AT&T Wireless Generator @ 2701 North Church Street

CC: 1) Engineering
2) Anne Richards, anne.richards@commsite.biz

DATE: November 5, 2014

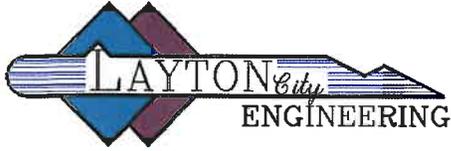
I have reviewed the revised drawing and relocation of the on-site diesel generator received on October 22, 2014 for the above referenced project. As with the previous review of August 28, 2014, our comments and concerns include the following:

1. Provide an NFPA 704 plaque at the gate or fencing area indicating "Flammable Liquid" for the diesel fuel for the generator.
2. Ensure a fire extinguisher, rated at 4A60BC, is installed within the gate area.

These plans have been reviewed for Fire Department requirements only. Other departments may review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DBVAT&T Generator Revised :kn
Plan # S14-103, District #12
Project Tracker: #LAY 1408261463





***Attention Engineers & Developers:** Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.*

MEMORANDUM

TO: Anne Richards, anne.richards@commsite.biz
Doug Bitton, dbitton@laytoncity.org

CC: COMMUNITY DEVELOPMENT DEPARTMENT/FIRE DEPARTMENT

FROM: Debi Richards, Assistant City Engineer

DATE: October 28, 2014

SUBJECT: **AT&T WIRELESS - CONDITIONAL USE (2nd submittal)**
GENERATOR ADDITION TO EXISTING CELL SITE
2701 CHURCH STREET – FIRE STATION #52

I have reviewed the conditional use application received October 22, 2014, requesting a generator addition to the existing AT&T unmanned wireless facility cell site be permitted as a "conditional use" at Fire Station #52 located at 2701 North Church Street. The Engineering Department recommends approval of the revised site location north of the existing cell tower.



Memorandum

To: Planning Commission
From: Scott Carter, Parks Planner
Date: October 29, 2014
Re: AT&T Wireless (Generator Addition), Conditional Use & Site Plan II – 2701
North Church Street

The change to the generator location for the cell tower site at 2701 North Church Street will not impact the Parks & Recreation Department.

Recommendation

Parks & Recreation supports conditional use and site plan approval of the amended location of an AT&T electrical generator at 2701 North Church Street.

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

Neighborhood
Walmart

#1 Site



Fire Station #52

#2 Site



Church

2700

2675

N
1 inch = 42 feet





20830 NORTH TATUM BLVD.
PHOENIX, AZ 85080

GENERAL DYNAMICS
Wireless Services

6884 S DATLAND DRIVE
TEMPE, AZ 85283

PLANS PREPARED BY
COM-EX
Consultants
9180 S. MICHIGAN ROAD
TEMPE, AZ 85284
PHONE: 480.945.5366
FAX: 480.945.5361

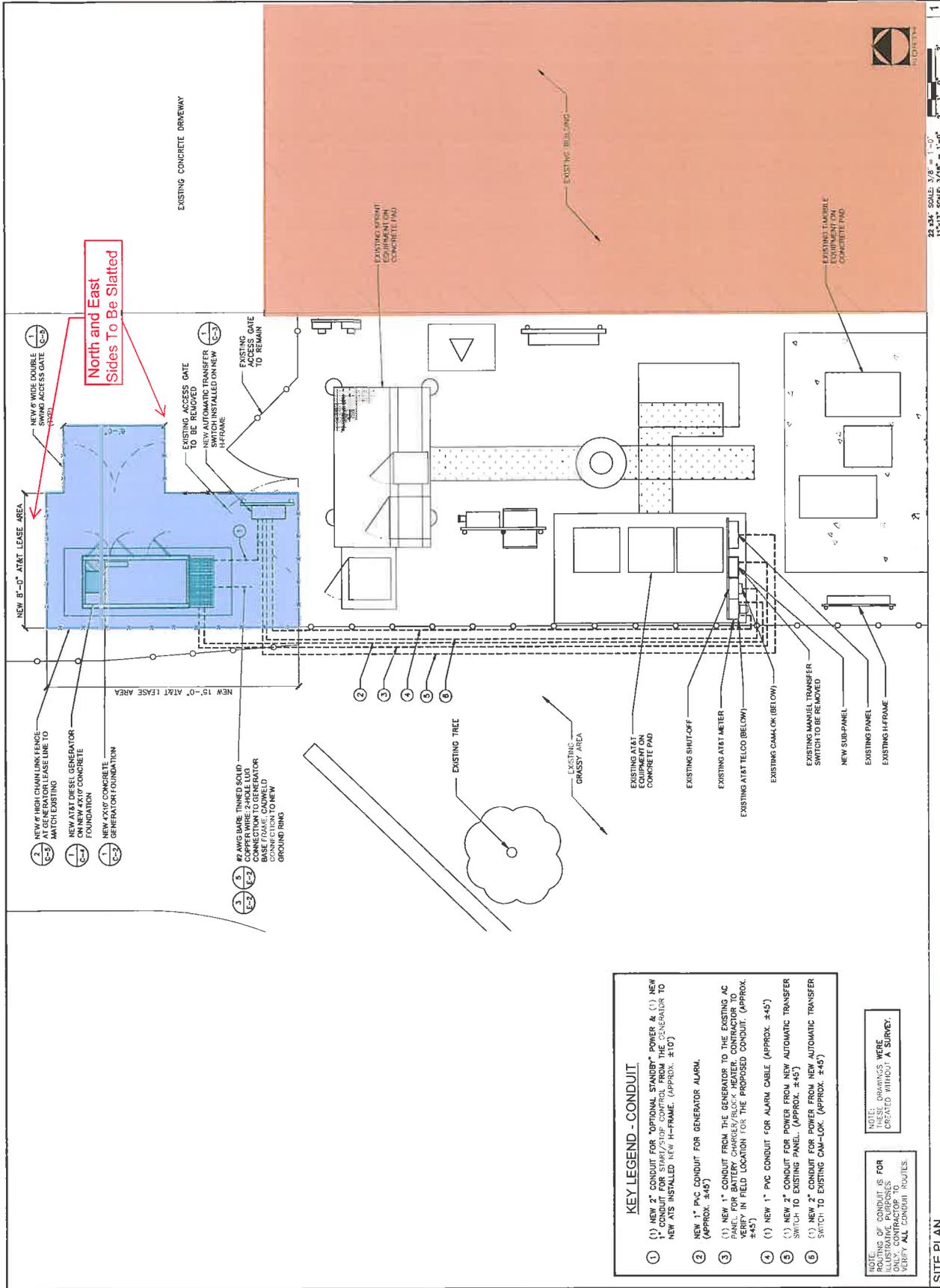
NO.	DATE	DESCRIPTION	BY
A	05/28/14	PRELIM. SUBMISSION	TB
B	05/28/14	PRELIM. SUBMISSION	MMK

SITE INFORMATION
HAFB GAMMA
SITE ID: UTLO3170
FA-10100996
2701 NORTH CHURCH STREET
LAYTON, UTAH 84040
DAVIS COUNTY

FOR REVIEW ONLY
NOT FOR CONSTRUCTION

SHEET TITLE
SITE PLAN

SHEET NUMBER
C-1



North and East
Sides To Be Slatted

- KEY LEGEND - CONDUIT**
- ① (1) NEW 2" CONDUIT FOR OPTIONAL STANDBY POWER & (1) NEW 1" CONDUIT FOR START/STOP CONTROL FROM THE GENERATOR TO NEW ATS INSTALLED NEW H-FRAME. (APPROX. ±10')
 - ② NEW 1" PVC CONDUIT FOR GENERATOR ALARM. (APPROX. ±45')
 - ③ (1) NEW 1" CONDUIT FROM THE GENERATOR TO THE EXISTING AC PANEL FOR BATTERY CHARGER/BLOCK HEATER CONTRACTOR TO VERIFY IN FIELD LOCATION FOR THE PROPOSED CONDUIT. (APPROX. ±45')
 - ④ (1) NEW 1" PVC CONDUIT FOR ALARM CABLE (APPROX. ±45')
 - ⑤ (1) NEW 2" CONDUIT FOR POWER FROM NEW AUTOMATIC TRANSFER SWITCH TO EXISTING PANEL. (APPROX. ±45')
 - ⑥ (1) NEW 2" CONDUIT FOR POWER FROM NEW AUTOMATIC TRANSFER SWITCH TO EXISTING CM-LOC. (APPROX. ±45')

NOTE: DIMENSIONS WERE CREATED WITHOUT A SURVEY. VERIFY ALL CONDUIT ROUTES.

SITE PLAN

22.34" SCALE: 3/8" = 1'-0"
11.67" SCALE: 3/16" = 1'-0"



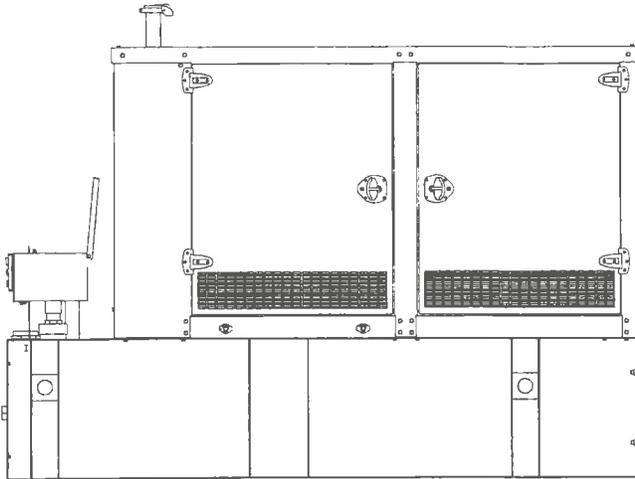
1





**Tier 3 EPA-Certified for Stationary
Emergency Applications**

Standard Features



- Kohler Co. provides one-source responsibility for the generating system and accessories.
- The generator set and its components are prototype-tested, factory-built, and production-tested.
- The 60 Hz generator set has a UL 2200 listing.
- The generator set accepts rated load in one step.
- The 60 Hz generator set meets NFPA 110, Level 1.
- A one-year basic limited warranty covers all systems and components. A five-year extended warranty is also available.
- The unique Fast-Response™ X excitation system delivers excellent voltage response and short circuit capability using a rare-earth, permanent magnet (PM)-excited alternator.
- A shutdown sensor prevents engine overheating caused by low coolant level.
- Integral vibration isolation eliminates the need for under-unit vibration spring isolators.
- Sound attenuated enclosure has a sound pressure level of 66 dB(A) at 7 m (23 ft.).
- The secondary containment generator set subbase fuel tank meets UL 142 tank requirements. The inner (primary) tank is sealed inside the outer (secondary) tank. The outer tank contains the fuel if the inner tank leaks or ruptures.
 - 848 L (224 gal.) fuel tank capacity, 795 L (210 gal.) usable
 - 19 L (5 gal.) spill/fill containment
 - 90% high fuel alarm with panel
 - 95% overflow prevention valve (OPV)
- The design allows locating the non-serviceable (back) side of the generator set to be within 610 mm (24 in.) of non-combustible surfaces. This can save valuable ground space where space is limited.
- The generator set has front accessibility to all routinely serviced components including:
 - Air filter
 - Battery
 - Battery charger
 - Fuel/water separator
 - Oil filter

Generator Set Ratings

Alternator	Voltage	Ph	Hz	130°C Rise Standby Rating	
				kW/kVA	Amps
4P7BX	120/208	3	60	50/63	173
4Q7BX	120/240	1	60	50/50	208

RATINGS: All three-phase units are rated at 0.8 power factor. All single-phase units are rated at 1.0 power factor. Standby Ratings: The standby rating is applicable to varying loads for the duration of a power outage. There is no overload capability for this rating. Obtain technical information bulletin (TIB-101) for ratings guidelines, complete ratings definitions, and site condition derates. The generator set manufacturer reserves the right to change the design or specifications without notice and without any obligation or liability whatsoever. GENERAL GUIDELINES FOR DERATION: Altitude: Derate 0.5% per 100 m (328 ft.) elevation above 2300 m (7546 ft.). Temperature: Derate 2.0% per 10°C (18°F) temperature above 25°C (77°F).

**LAYTON CITY
AGENDA ITEM COVER SHEET**

Item Number: 4

Subject: Conditional Use Permit for a “Barber/Beauty Shop” located at 1826 East 3100 North

Background: The applicant, Rachel Gauss, is proposing to open a Salon (Barber/Beauty Shop) in the Greyhawk Professional Business Park. The property is in the PB (Professional Office) zone, which allows Barber/Beauty Shops as a conditional use. The property is located north of Highway 193 and south of the Greyhawk Townhomes.

Alternatives: Alternatives are to 1) Grant conditional use approval; or 2) Grant conditional use approval with additional conditions.

Recommendation: Staff recommends conditional use approval be granted, subject to the applicant meeting all staff requirements.



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: Planning Commission
From: Brandon Rypien, Planner 
Date: November 12, 2014
Re: Conditional Use application for a Barber/ Beauty Shop

Location: 1826 East 3100 North, Suite 2

Zoning: PB (Professional Office)

Background:

The applicant, Rachel Gauss, is proposing to open a Salon (Barber/Beauty Shop) in the Greyhawk Professional Business Park. The salon will occupy 1,400 square feet of the 2,952 square foot building. The building will be shared with IRS Law Pros and Gilland Law Firm, who will occupy Suite 1. At built-out, the Greyhawk Professional Business Park is planned to have a total of 14 buildings.

Staff Review:

A Salon is categorized as a Barber/Beauty Shop in Table 6-2 of the Zoning Ordinance and is a conditional use in the Professional Office (PB) zoning district.

Parking

Barber/Beauty Shops are required to have three (3) parking stalls per chair. The applicant has stated in her letter of intent that there will be a total of five (5) chairs, which would require fifteen (15) parking stalls. The landlord has allocated eighteen (18) parking stalls for this business, which meets the minimum parking requirement.

Landscaping

The existing landscaping has been installed according to code and no additional buffers are necessary for this use.

Hours of Operation

The hours of operation are as follows, Mon., Fri. & Sat. 9am-6pm, Tues.-Thurs. 9am-8pm and Closed Sundays.

Staff Recommendation:

Staff recommends approval of the conditional use permit for a Barber/Beauty Shop subject to the following conditions.

1. The applicant shall have a minimum of three (3) parking stalls per chair. Based on the proposal a total of fifteen (15) parking stalls are required.
2. All Building Division and Fire Department requirements shall be met before occupancy.
3. The applicant must complete all of the conditions prior to receiving the Final Inspection.

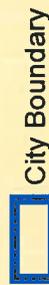
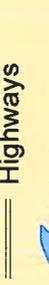
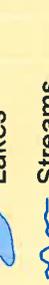
PLANNING COMMISSION

November 12, 2014

Rachel Gaus
Barber/Beauty Shop

Conditional Use

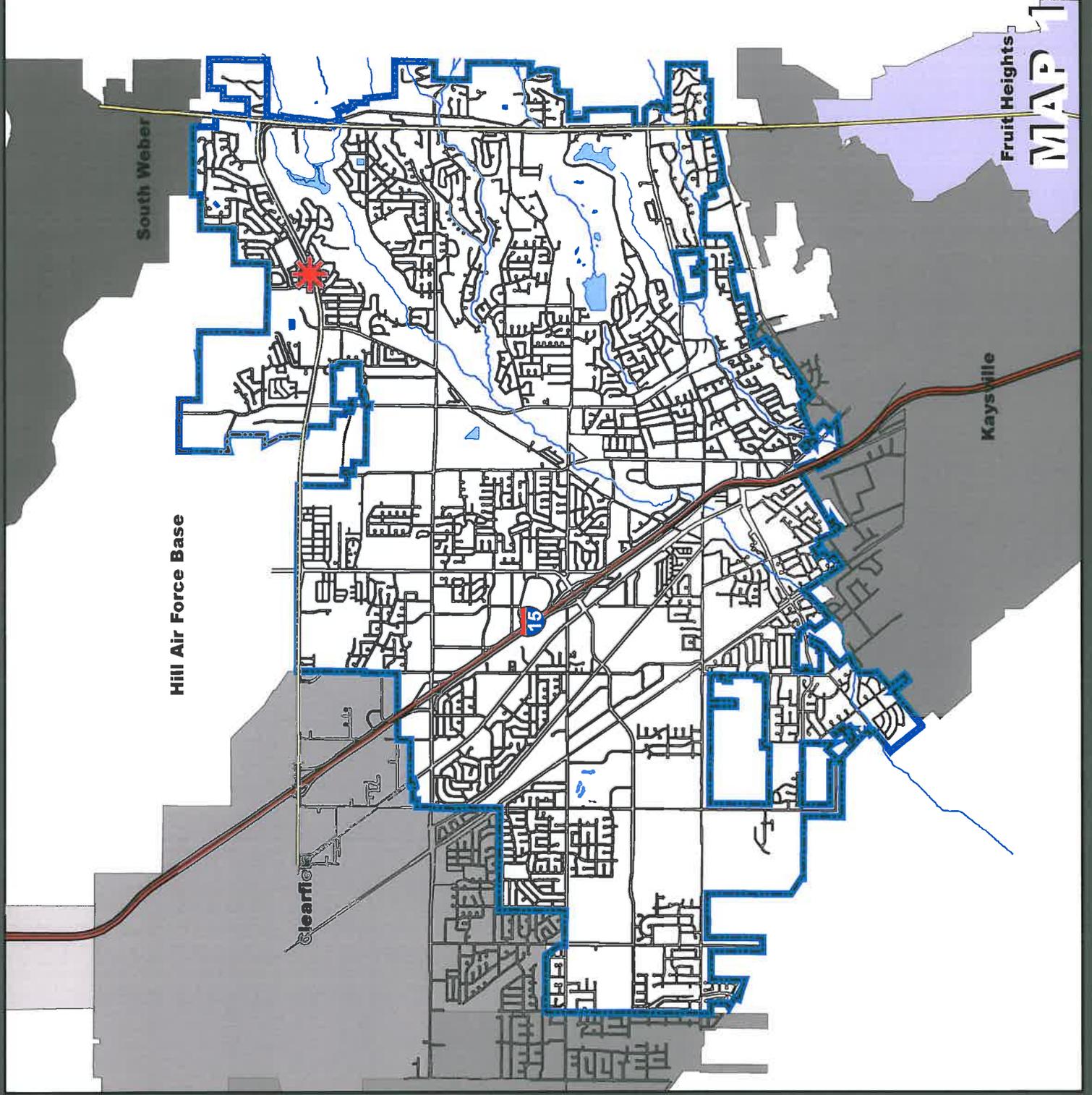
Legend

-  City Boundary
-  Interstate 15
-  Highways
-  Lakes
-  Streams

 - Project Site



1 inch = 5,188 feet



PLANNING COMMISSION

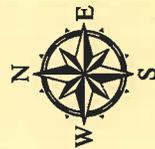
November 12, 2014

Rachel Gauss
Barber/ Beauty Shop

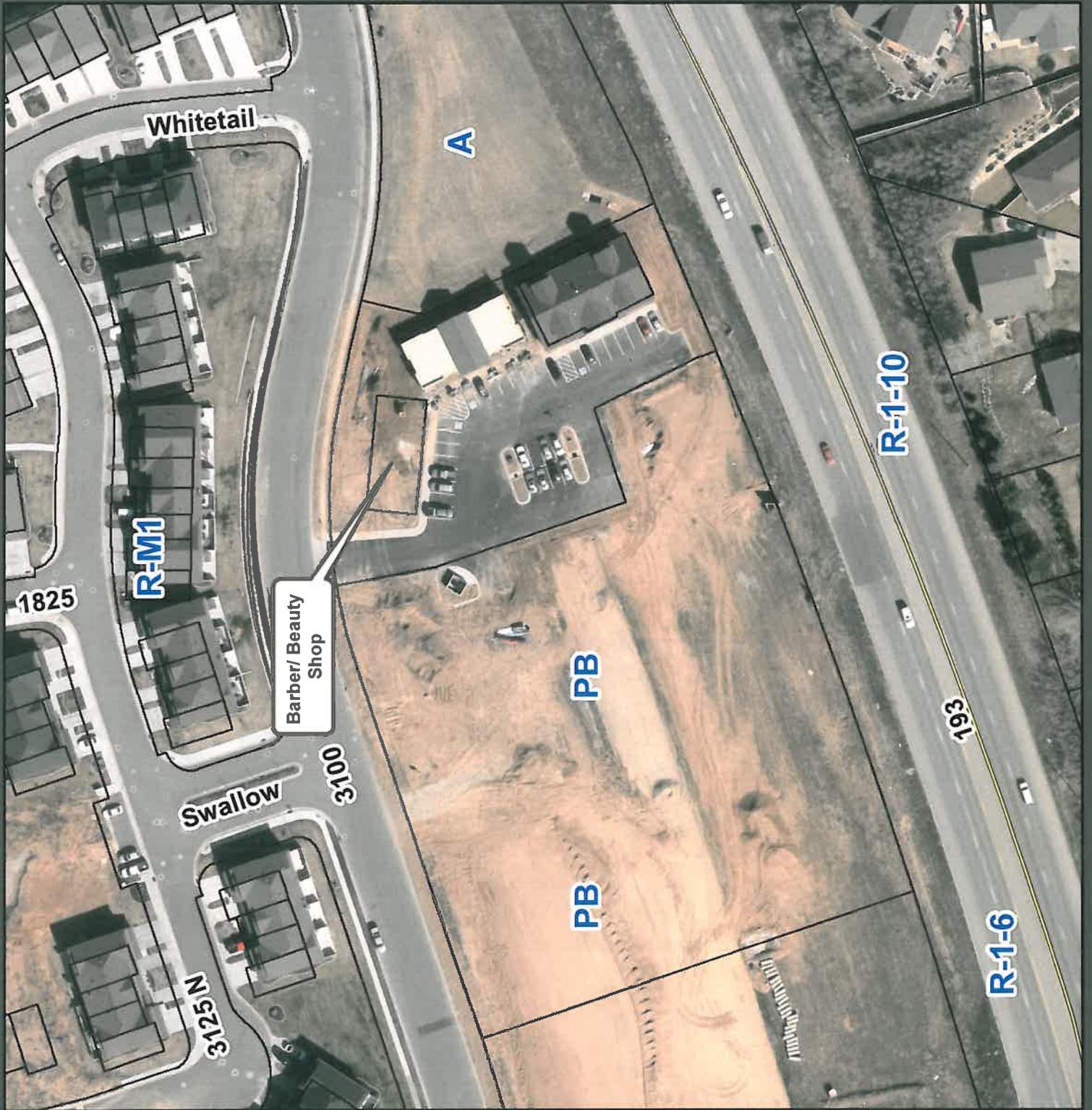
Conditional Use

Legend

- City Boundary
- Interstate 15
- Property
- Highways
- Lakes
- Streams



1 inch = 95 feet



Brandon Rypien

From: Julie Matthews
Sent: Monday, October 27, 2014 10:02 AM
To: Brandon Rypien
Subject: FW: ?'s to answer for your narrative

This is what she sent.

From: Rachael Gauss [<mailto:09rgauss@gmail.com>]
Sent: Monday, October 27, 2014 9:59 AM
To: Julie Matthews
Subject: Re: ?'s to answer for your narrative

1. How many chairs will you have? 5 chairs
2. How many employees? 3 employees as of right now.
3. Square footage of your space 1,400 square feet
4. Parking spaces allocated by your landlord to you for your business. 18 parking spaces have been allocated by landlord as seen on site plan.

5. Hours of operation.

mon 9am-6pm

tue 9am-8pm

wed 9am-8pm

thur 9am-8pm

Friday 9am-6pm

Saturday 9am-6pm

Closed Sundays

Hopefully this helps. Please let me know if you need anything else from me.

Thanks so much,

Rachael Gauss

