

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

JANUARY 13, 2015

MEMBERS PRESENT: Dawn Fitzpatrick, Gerald Gilbert, Wynn Hansen, Brett Nilsson, Robert Van Drunen, Dave Weaver

MEMBERS ABSENT: Brian Bodily, Brett Nilsson, Randy Pulham, L.T. Weese

OTHERS PRESENT: Staff: Bill Wright, Peter Matson, Kem Weaver, Brandon Rypien, Weston Applonie, Steve Garside, Julie Matthews
City Council Member: Tom Day

PUBLIC REVIEW:

1. ROBERT HALL – CONDITIONAL USE FOR SECONDARY RESIDENTIAL UNIT

This property is located on .52 acres at 82 East Antelope Drive in a PB (Professional Office) zoning district. The applicant and owner is Robert Hall.

City Planner, Peter Matson, presented a request for a secondary residential unit. He gave an overview of the businesses and developments in the area as well as residential areas. The current office building is slightly over 3,000 square feet, and there are more parking spaces than required by code.

Staff had discussed several different options on how to accommodate this use on the property. Mr. Matson explained that the proposed secondary residential unit is unique in that it is detached from the main structure. He read the definition of an secondary residential dwelling unit.

Mr. Matson said the roofline and building materials of the new structure would closely match that of the existing structure. The mature landscaping will remain.

Mr. Hall came to a development review meeting and worked with the Fire Marshall and City Engineer. It was determined that sewer can be handled by a lateral running to the main lateral and then out to the street. Since the building will be located 150 feet from the public right away, a fire suppression system will be installed in the structure. The existing fire flow is sufficient to handle both buildings' needs.

Mr. Hall met with the surrounding neighbors, and the neighbors were friendly and supportive of the proposal and didn't express any concerns about the proposal.

The doors of the garage will be an earthtone color to match the colors of the existing building.

Mr. Matson listed the conditions as follows:

1. The proposed structure shall comply with all Fire Department, Building, Planning and Engineering Division requirements.
2. All existing landscape buffers and trees shall be preserved.

3. The overall height of the structure shall not exceed 24.5 feet at the peak and 19 feet at the midpoint of the roof line.
4. The site shall accommodate a minimum of 10 parking spaces by ordinance, however, the existing 13 parking stalls along the east side of the office building shall remain, with one (1) parking space in the enclosed two-car garage reserved for the property/business owner. The second garage stall shall be reserved for the on-site residence.
5. Construction of the proposed residential structure shall include a fire sprinkler system that meets Fire and Building Code requirements.
6. The proposed residential structure shall be substantially similar in architecture and building materials as the main office structure.

Commissioner Fitzpatrick asked what would prevent this building from being used as a rental property in the future. Mr. Matson said a letter will be written that is recorded against the property stating that the unit cannot be rented.

Commissioner Fitzpatrick asked if the structure could be used as office space at a later time. Mr. Matson said code and parking would dictate what would be allowed and this structure does not comply with the setback requirements for an office/business use.

Mr. Hall said there would be issues with parking spaces if the unit were retrofitted. With the proposed design, he said there would still be three parking spaces available. There is also parking in the garage.

Mr. Matson said upon clarification, that since the unit is detached, a main use could not be put in the secondary structure.

Commissioner Van Drunen asked if the secondary unit could be larger than the main structure. Mr. Matson said in that case it would not fit the specifics of the definition of a secondary residential unit.

2. CASH AMERICA – CONDITIONAL USE FOR A PAWN SHOP

This property is located at 957 North Main Street in a C-H (Highway Regional Commercial) zoning district. The applicant, Ryan Mojahed, is representing the property owner, Steve Pruitt.

Planner I, Brandon Rypien, said the applicant requested a zoning clarification letter in November at which time he was told he needed a conditional use for the pawn shop. The tenant space is adjacent to Savers store and occupies the former Honks Dollar Store.

Pawn shops are regulated by Chapter 5.29 of the Municipal Code. He reviewed the definition of a pawn broker. Unlike check cashing, title loan or payday loan stores, pawn shops are not restricted by the buffer requirements that apply to those businesses and are not restricted in distance from other pawn shops.

Parking is based on one parking space for every 1,000 square feet. The applicant is proposing 10,000 square feet and will require 10 parking stalls.

The only outdoor events that will be allowed will be tent events, which are required to be adjacent to their primary location. A separate license is required for tent events.

Chairman Gilbert asked how long a tent could be out. The Commission asked that specific times be stated in the conditions. Commissioner Fitzpatrick didn't think tent events would work in that parking lot because of the amount of traffic. Mr. Rypien said that 15 percent of the overall parking could be used for a tent event.

Commissioner Fitzpatrick asked if the pawn store could take in vehicles. Since outdoor storage is not allowed, it could not.

Community & Economic Development Director, Bill Wright, said that with a title loan, the business has ownership in the title, but the customer keeps their vehicle. In this case, the vehicle would be given up to the pawn store but couldn't be sold at that business.

Chairman Gilbert said the name of the store looks like the store would be doing payday and title loans. Mr. Wright said a lot of investigation was done to make sure they were just a pawn store.

Commissioner Van Drunen said a concern would be all the bicycles for sale in the summer out in front of the store.

Commissioner Hansen asked for an explanation of the conflicting drawings depicting the layout of the store. Mr. Rypien said the drawings were contingent on whether or not there would be a shared hallway at the back of the store.

Planner II, Kem Weaver, asked if it was a building code violation to have a single access in an unoccupied area of the store. Mr. Weaver will check on the code.

Commissioner Fitzpatrick said on their Riverdale Store website, Cash America indicates they do title loans and check cashing. Mr. Rypien said the owner said he was getting away from those types of services and would not be doing those services in this store.

Commissioner Hansen asked if the conditions should reflect that there would be no check cashing or title loans.

Mr. Wright recommended that the applicant be asked specifically about what services he would be offering.

Commissioner Fitzpatrick asked if tent events could be removed as an option.

Mr. Garside said that they would have to make application for a tent event. If the parking is not adequate, then it would be denied.

Mr. Wright said that the criteria are very specific for a tent event.

Mr. Weaver said that they could have a tent event for 120 days during the year, 30 days at a time.

Mr. Wright said for this business to have a tent event, they would have to have the property owner's approval and the property owner is already concerned about the parking. The tent size and duration of the sale would be regulated by the property owner.

Mr. Rypien asked if the Commission if they wanted no check cashing and no title loans added as a condition.

Commissioner Hansen said that one of the Commissioners could ask the applicant specifically if he would be doing payday or title loans.

3. GREEN CHERRY LANE -- PARCEL SPLIT FINAL PLAT

This property is located at 1604 East Cherry Lane in an R-1-8 (Single Family Residential) zoning district. The applicant, Ed Green, is proposing a .22 acre single family residential lot with an existing home and a 1.62 acre parcel.

Planner I, Weston Applonie, presented the request for a parcel split to create two parcels. The existing parcel will contain the home on a .22 acre lot fronting Cherry Lane. The remainder parcel will be 1.62 acres and front on Emerald Drive. A small section will be deeded to the property owner to the west.

Commissioner Hansen asked why the small section of property was being deeded. Mr. Applonie said that it was to increase the backyard of the property.

4. THURGOOD PROFESSIONAL CONDOMINIUM PLAZA – CONDOMINIUM FINAL PLAT

This .536 property is located at 1449 North 1200 West in a C-H (Highway Regional Commercial) zoning district.

The applicant and owner, Bob Thurgood, is requesting condominium plat approval to create six individually owned commercial spaces.

Planner II, Kem Weaver, presented the request for final plat approval for the Thurgood Professional Condominium Plaza to separate the building into six units with separate ownership. He pointed out the cell tower that would be in the common area. The common area will be maintained by the six owners.

The property is zoned C-H. The size of the lot meets the C-H zoning requirements.

Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation to the City Council.

Commissioner Hansen asked who would be responsible for the overall maintenance of the common area. Mr. Weaver said there are business owner covenants that will be recorded with the plat.

Commissioner Weaver asked if this section of Angel Street was an arterial. Mr. Weaver said it was a collector and there was existing landscaping in the eight-foot required buffer.

5. MAJOR ESTATES SUBDIVISION PHASES 1 & 2 – FINAL PLAT

This 17.73 acre property is located at approximately 725 North 3200 West in an R-S (Residential Suburban) zoning district. Phase 1 will consist of 23 single family residential lots, and Phase 2 will consist of 18 single family residential lots. The applicant, Perry Homes, is represented by Adam Nash.

Mr. Weaver presented the request for final approval for Major Estates Phases 1 & 2. Mr. Weaver said a roundabout is required in the middle of the long single street through the subdivision to slow traffic.

Councilmember Day asked if the roundabout would be big enough to slow traffic. Mr. Weaver said it would slow traffic and meets the Fire Department requirements for maneuvering.

Chairman Gilbert asked if there were any concerns with 2700 West. Mr. Wright said this portion of 2700 West doesn't connect through. It is a typical 66 foot right of way.

Mr. Weaver explained the fencing requirements of a chain link fence on the north and south sides of the subdivision.

Commissioner Hansen asked if there should be anything done above and beyond that. Commissioner Fitzpatrick said it still had an agriculture use on it. Mr. Weaver said the purpose of the fence was to keep debris out of the agricultural fields. The fence cost is now part of the bond.

Mr. Wright said the fencing would be treated just like a piece of infrastructure. He said Staff would make sure the fence is in before building permits are issued.

Councilmember Day said that would be a good improvement.

Commissioner Hansen asked if the fence could be vinyl covered. Mr. Wright said if they want a solid vinyl it would be up to them. Mr. Matson said that would be expensive.

Councilmember Day asked if they should have a final approval before they start. Mr. Wright said there is a certain amount of grading post preliminary approval and prior to final approval. They can't install infrastructure.

Commissioner Van Drunen asked the minimum width on a residential street. Mr. Weaver said it is 58 feet in this situation. He said the width was reduced from 60 to 58 feet a few years ago.

Mr. Wright said street trees with a wider park strip tend to slow traffic.

Commissioner Hansen said in the engineers report that the lighting payment had been received and asked to what extent the Staff reviews the street lights.

Mr. Weaver said Engineering determines how many and where the lights are installed, and the City has a contractor that installs the lights.

Mr. Matson said there is now a standard for light placement.

Mr. Wright said the light fixtures have been standardized. Previously Rocky Mountain Power chose the fixtures but they weren't well-maintained. Mr. Wright said ultimately the City will buy the light system from Rocky Mountain Power.

Commissioner Hansen said he recollected that the City Engineer, Woody Woodruff, said that eventually the City would catch up on standardizing the lights.

Councilmember Day asked where the park would be and Mr. Weaver explained that it would be at the southeast corner of the subdivision.

6. ANN WILLIAMS PARCEL SPLIT – FINAL

This 1.038 property is located at 884 East Rosewood Lane in an R-1-10 (Single Family Residential) zoning district. The applicant and owner, Ann Williams, is requesting the parcel split to create two single family residential lots with the existing home on .563 acres and the new lot to be .475 acres.

Mr. Weaver said an existing single family home would be on the east parcel on .563 acres and the west parcel will be .475 acres. There are a carport and a shed straddling the existing property line. Before a building permit can be issued on the west parcel, the carport and shed will need to be moved or removed. The applicant is aware of this requirement.

He said the zoning is R-1-10 and both lots meet the requirement for area and frontage.

7. ADAMS FARMS SUBDIVISION – PRELIMINARY PLAT

This 6.435 acre property is located at approximately 1250 East Gordon Avenue in an R-1-8 (Single Family Residential) zoning district. The applicant, Ed Green, is proposing 25 single family building lots.

Mr. Weaver said the applicant would be removing the cabin on the property.

Commissioner Fitzpatrick asked about the home in the center of the property. Mr. Weaver said the home will be removed.

Mr. Weaver explained how the project would create connectivity in the neighborhood. He explained that the Kayscreek Irrigation pipe will be moved into the street. The developer will work with Kayscreek Irrigation on the moving of the pipe.

He explained that since this property is not on sensitive lands, the Planning Commission can approve the preliminary plat.

Commissioner Fitzpatrick said she was going to disagree with there being a Homeowners Association being required to maintain the landscape buffer on Gordon Avenue. She felt it was an undue burden on all the home owners. She felt the two adjacent homeowners should maintain the buffer.

Mr. Weaver said he had not been part of the meeting Commissioner Fitzpatrick had attended regarding HOA's. Mr. Weaver said it was required by ordinance that the homeowners association be established. He said it had been tried before with Rockwell Estates and the home owners didn't maintain the buffer. In another situation, the landscaping was never installed.

Commissioner Fitzpatrick asked with this being an infill subdivision, why the homeowners of Lots 17 and 18 couldn't maintain the buffer.

Mr. Weaver said there was no way around the ordinance unless the ordinance changes.

Commissioner Fitzpatrick explained all the legal issues that had to be satisfied to create an HOA. She said the Mayor had asked Scott Carter to identify all the detention basins and the possibility of the City maintaining them.

Councilmember Day asked when the meetings occurred and Commissioner Fitzpatrick responded that it was during the past week.

Mr. Garside asked why it would be brought up in this meeting.

Mr. Garside said it was found it hadn't worked in the past to have individual homeowners maintain buffers.

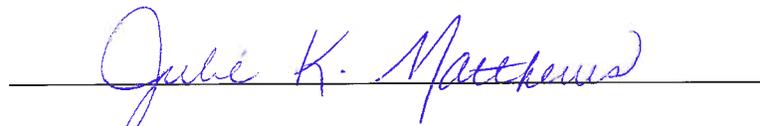
Commissioner Van Drunen said it was ordinance requiring the HOA. He asked if ordinance is not followed in this case, what happens in the future with a similar subdivision.

Commissioner Weaver said it was the Planning Commission's job to enforce ordinance.

Commissioner Gilbert asked if the item could be tabled for the ordinance to be amended.

Mr. Garside said it would take considerable time. Commissioner Fitzpatrick said she felt the developer wanted to move ahead.

Commissioner Van Drunen asked why the subdivision couldn't have been a cul-de-sac.



Julie K. Matthews, Planning Commission Secretary

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MEMBERS ABSENT: Brian Bodily, Brett Nilsson, Randy Pulham, L.T. Weese

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City Council Member: Tom Day

Chairman Gilbert called the meeting to order at 7:08 p.m. The Pledge of Allegiance was recited and an invocation was given by Commissioner Weaver.

Chairman Gilbert called for a motion to approve the November 12, 2014, and the November 25, 2014, Planning Commission and Work Meeting Minutes. Commissioner Hansen moved to approve the minutes as written. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

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

PUBLIC REVIEW:

1. ROBERT HALL – CONDITIONAL USE FOR SECONDARY RESIDENTIAL UNIT

This property is located on .52 acres at 82 East Antelope Drive in a PB (Professional Office) zoning district. The applicant and owner is Robert Hall.

City Planner, Peter Matson, presented the request from Robert Hall for conditional use approval for a secondary residential unit on a property with an office building located in a PB zoning district. The property is a half acre in size. He reviewed the parcels, businesses and residential properties in the area.

The applicant, Mr. Hall, is the owner of the office building. He has a financial planning business in the office building. Mr. Hall's request is based on his desire to provide on-site management on the property. He plans to live in the unit.

Mr. Matson related various similar uses in the City and read the definition of a secondary residential unit. He reviewed the design of the unit and outlined the location of the 16 parking stalls on the site. If the use is approved and the structure completed, there would be 13 stalls remaining. Ten stalls would be required.

Mr. Matson said that mitigating steps will be taken in the design of the structure and the landscaping on site. He said similar roof pitch, gables, rock, stucco and trim as the existing building will be incorporated.

An additional two feet in roof height may be needed to create adequate ceiling height inside the structure.

The mature landscaping on the site will remain intact. The applicant has met with the City Engineer and Fire Marshall to make sure the sewer and water connections will be adequate. The Fire Marshall is requiring the structure to be sprinkled since it will exceed the distance to the street from which the Fire Department can provide protection. There is not room for a turnaround on the site.

Mr. Hall has met with adjacent property owners to see if they have any concerns about the structure. His interaction with the neighbors was friendly, and they were in support of the proposal.

Mr. Matson said landscaping and accessories structures in rear yards provide some buffer from the main office structure.

Mr. Matson said Staff is recommending the Planning Commission approve the proposed secondary residential unit subject to the following conditions:

1. The proposed structure shall comply with all Fire Department, Building, Planning and Engineering Division requirements.
2. All existing landscape buffers and trees shall be preserved.
3. The overall height of the structure shall not exceed 24.5 feet at the peak and 19 feet at the midpoint of the roof line.
4. The site shall accommodate a minimum of 10 parking spaces by ordinance, however, the existing 13 parking stalls along the east side of the office building shall remain, with one (1) parking space in the enclosed two-car garage reserved for the property/business owner. The second garage stall shall be reserved for the on-site residence.
5. Construction of the proposed residential structure shall include a fire sprinkler system that meets Fire and Building Code requirements.
6. The proposed residential structure shall be substantially similar in architecture and building materials as the main office structure.

There were no questions for Staff.

The applicant, Robert Hall, 2146 East 3150 North, in Layton was asked if he had reviewed the conditions. He said he had read them and he had no concerns.

There were no comments or questions from the audience.

Chairman Gilbert called for a motion on the item.

Commissioner Hansen moved that the Planning Commission grant conditional use approval for the secondary residential unit subject to the applicant meeting all conditions, which are hereby adopted as requirements. Commissioner Van Drunen seconded the motion, and the voting was unanimous.

2. CASH AMERICA – CONDITIONAL USE FOR A PAWN SHOP

This property is located at 957 North Main Street in a C-H (Highway Regional Commercial) zoning district. The applicant, Ryan Mojahed, is representing the property owner, Steve Pruitt.

Planner I, Brandon Rypien presented the request for conditional use for a pawn shop. He said the pawn shop is proposed to be next to Saver's in the former Honk's Dollar Store. The applicant will not be offering check cashing and title loan services.

Unlike check cashing, pawn shops are not required to have a certain buffer from schools and parks, and there is no spacing requirement from other pawn shops.

He said based on Cash America's 10,000 square foot showroom, the business would require 10 parking spots. Mr. Rypien said outdoor display would be restricted to tent events to be regulated by a business license required for the event.

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

1. It is unlawful for any pawnbroker to receive any goods by way of pawn or pledge before the hour of 7:00 a.m. or after 9:00 p.m., or on Sunday.
2. No outdoor display of goods, except for a tent event (must receive tent event permit through business licensing), which is allowed a maximum of four (4) times a year.
3. No outdoor storage.
4. No security bars shall be installed on windows or doors except for the interior security room.
5. Cash America shall provide 10 parking stalls.
6. All Building, Engineering and Fire requirements shall be completed prior to occupancy.

Chairman Gilbert called for a motion on the item.

Commissioner Weaver moved that because of the issues discussed in the work meeting and because the applicant is not present to respond to the issues, the item be tabled until the applicant can be present. Commissioner Fitzpatrick seconded the motion.

Chairman Gilbert asked if it should be continued to a date certain.

Assistant City Attorney, Steve Garside, recommended that the request be continued to a date certain and have the applicant commit to attending Planning Commission or respond in writing.

Commissioner Van Drunen asked what the concerns were. Chairman Gilbert said he was concerned about the check cashing restriction.

Commissioner Van Drunen asked if the concerns could be responded to in writing.

Commissioner Weaver amended the motion to ask for the Commission's concerns to be noted, the applicant to respond in writing and the item to be tabled until a date certain of January 27, 2014, and ask the applicant to respond.

Chairman Gilbert asked if the concerns should be given to staff at the current meeting. Mr. Garside said if the concerns were more than in Staff's memo, then the concerns should be articulated.

Commissioner Hansen would ask for a written acknowledgement that no check cashing, pay day loans, or title loans would be conducted at this location.

Mr. Rypien said he has an e-mail, which indicated the acknowledgement of the applicant that no check cashing, pay day loans, or title loans would be conducted at this location, had been sent to Mr. Rypien in an e-mail.

Commissioner Hansen said as a last resort, he would be okay to use the e-mail but he agrees that the item should be tabled until January 27, 2014, so the applicant realizes the importance of acknowledging what would be allowed.

Commissioner Weaver asked for clarification on the tent events, which could last up to 30 days for a total of 120 days a year. He asked for clarification as to whether the applicant plans to have tent events. He felt it was ambiguous that the owner may not approve a tent event.

Commissioner Hansen felt the applicant had been denied to display goods outside and the tent event is an opportunity to do that.

Commissioner Weaver reiterated that the applicant would have to have the approval of the property owner and apply for a business license.

Chairman Gilbert said if the applicant couldn't take the time to be to the meeting, it was his opinion that the conditional should be denied.

Commissioner Van Drunen questioned why the item should be tabled since Mr. Rypien already has written confirmation.

Commissioners Hansen, Weaver and Fitzpatrick voted in favor of tabling the item and Commissioner Van Drunen voted against the motion. The motion passed by a margin of 3 to 1.

3. GREEN CHERRY LANE PARCEL SPLIT -- FINAL

This property is located at 1604 East Cherry Lane in an R-1-8 (Single Family Residential) zoning district. The applicant, Ed Green, is proposing a .22 acre single family residential lot with an existing home and a 1.62 acre parcel.

Planner I, Weston Applonie, presented the request for parcel split approval. The parcel split will create a .22 acre lot for the existing home parcel. The remaining parcel is 1.62 acres and will front Emerald Drive. A small portion of the property will be deeded to the Robert Green parcel to the west.

Mr. Applonie said Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the parcel split.

There were no comments from the Commission or the audience.

Chairman Gilbert called for a motion on the item. Commissioner Van Drunen moved that the Planning Commission forward a positive recommendation to the City Council to approve the parcel split. The motion was seconded by Commissioner Hansen, and the voting was unanimous.

4. THURGOOD PROFESSIONAL CONDOMINIUM PLAZA – CONDOMINIUM FINAL PLAT

This .536 property is located at 1449 North 1200 West in a C-H (Highway Regional Commercial) zoning district. The applicant and owner, Bob Thurgood, is requesting condominium plat approval to create six individually owned commercial spaces.

Planner II, Kem Weaver, presented the request to separate the building into six separate units under separate ownership. He pointed out the cell tower in the common area. That area will be maintained by the cell tower owner.

Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the Thurgood Professional Condominium Plaza plat.

Commissioner Hansen asked the applicant, Robert Thurgood, about his plans for the CC&R's. Mr. Thurgood said the CC&R's had been drawn up by an attorney. There will be three owners who will own two units each. The owners understand they will participate in the maintenance of the parking lot, landscaping and snow removal. Mr. Thurgood said it will be a matter of voting on all aspects of the common area maintenance.

There were no other questions.

Chairman Gilbert called for a motion on the item. Commissioner Fitzpatrick moved that the Planning Commission forward a positive recommendation to the City Council to approve the condominium plat as presented subject to meeting all Staff recommendations. The motion was seconded by Commissioner Van Drunen and the voting was unanimous.

5. MAJOR ESTATES SUBDIVISION PHASES 1 & 2 – FINAL PLAT

This 17.73 acre property is located at approximately 725 North 3200 West in an R-S (Residential Suburban) zoning district. Phase 1 will consist of 23 single family residential lots, and Phase 2 will consist of 18 single family residential lots. The applicant, Perry Homes, is represented by Adam Nash.

Planner II, Kem Weaver, presented the request for plat approval for Major Estates Subdivision Phases 1 & 2. He said Phase 1 would contain 23 single family lots and Phase 2 would contain 18 single family lots. The typical lot size is 15,000 square feet; however, the R-S lot averaged zone has a minimum 10,000 square foot lot size with other lots that could be larger than 15,000 square feet. Phase 1 average lot size is 14,588 square feet, and Phase 2 has an average of 14,597 square feet per lot.

Mr. Weaver said the Rocky Mountain Power corridor crosses through the center of the subdivision. The Layton City Trails Map indicates that there is to be a planned intercity trail within the power corridor. The City will work with Rocky Mountain Power to locate the trail in the corridor sometime in the future.

Mr. Weaver said the developer will be required to install a roundabout half way through the subdivision as a traffic calming device since the road is a straight away through the subdivision. The streets meet the new street cross section requirements for residential streets as do the block lengths for the R-S

zone. Stubbed streets will be placed on both the north and south sides of the development for access to future residential development.

As per the preliminary plat approval, the developer will be required, by ordinance, to fence the north and south boundary of the subdivision to protect agricultural fields from junk and debris during construction. Ordinance 18.36.180 states that any fence that is required to be installed as a condition of a development shall be completed immediately, but not later than 30 days after issuance of a development permit or pre-construction meeting. Table 16-1 and 16-3 in the Landscaping Ordinance (19.16) states that a six-foot chain link fence is the minimum requirement when single family dwelling uses are adjacent to agricultural uses.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the final plats for Major Estates Phases 1 and 2 subject to meeting all staff requirements as outlined in staff memorandums to the developer.

The Commission had no questions.

Adam Nash, representing the applicant, was asked by Commissioner Hansen about the required fence and if it could be vinyl coated. Mr. Nash said a six-foot chain link fence with a top rail will be installed immediately but did not commit to vinyl coating.

Chairman Gilbert called for a motion on the item. Commissioner Weaver moved that the Planning Commission forward a positive recommendation to the City Council to approve the request for final plat approval. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

6. ANN WILLIAMS PARCEL SPLIT – FINAL

This 1.038 property is located at 884 East Rosewood Lane in an R-1-10 (Single Family Residential) zoning district. The applicant and owner, Ann Williams, is requesting the parcel split to create two single family residential lots with the existing home on .563 acres and the new lot to be .475 acres.

Mr. Weaver presented the request for a parcel split to divide the parcel into a .563 acre parcel containing the existing home and .475 acre parcel to the west. An existing shed is straddling the property line as well as a carport. These buildings may be legal/non-conforming but must be relocated or demolished before a building permit can be issued for the vacant lot.

Mr. Weaver said both parcels meet the requirements of the R-1-10 zone.

Mr. Weaver said staff recommends the Planning Commission forward a positive recommendation to the City Council to grant final approval to the Ann Williams parcel split subject to meeting all Staff requirements.

Commissioner Hansen asked if the applicant was aware of the removal requirements. Mr. Weaver responded in the affirmative.

Chairman Gilbert called for a motion on the item. Commissioner Van Drunen moved that the Planning Commission forward a positive recommendation to the City Council to approve the parcel split subject

to meeting all Staff requirements. The motion was seconded by Commissioner Fitzpatrick and the voting was unanimous.

7. ADAMS FARMS SUBDIVISION – PRELIMINARY PLAT

This 6.435 acre property is located at approximately 1250 East Gordon Avenue in an R-1-8 (Single Family Residential) zoning district. The applicant, Ed Green, is proposing 25 single family building lots.

Mr. Weaver presented the request for preliminary plat approval for 25 single family building lots on a parcel considered an infill parcel. He said the subdivision will provide street connectivity in the neighborhood and another access out to Gordon Avenue. A Kayscreek irrigation pipe crosses through the subdivision, and the developer is working with Kayscreek Irrigation to move the pipe.

Mr. Weaver explained the landscape buffer requirements and HOA requirements for the maintenance of this buffer on Gordon Avenue.

Mr. Weaver said Staff recommends the Planning Commission approve the preliminary plat, which does not have to be approved by the City Council since it is not in sensitive lands area.

Commissioner Hansen asked about the progress on moving the irrigation line. The developer, Ed Green, said Kayscreek had approved the relocation. He said calculations will have to be done to determine if there will be pressure loss due to the elbows in the line required to move the line. Mr. Green will have to bond in case there is a pressure loss.

Mr. Green asked that the two lots fronting on Gordon be assigned in the CC&R's to take care of the lots. He felt it was difficult to create an HOA.

Mr. Garside said it was a request of the applicant and could be discussed at final approval. If the applicant could come up with a palatable recommendation, it would be entertained. If the people could be effectively notified, the City could consider this request. There would have to be something in the title report that would put them on notice.

Mr. Green explained the care and maintenance of corner lots.

Commissioner Hansen asked if they could be restricted lots. Mr. Garside said generally the reason for putting an "R" on a lot would be for a problematic issue. As long as the buffer maintenance requirement would come out in a title report, the City Council may be accepting of the request.

Commissioner Fitzpatrick said the CC&R's in her subdivision list the Chevron pipeline and how it should be maintained. Mr. Garside said maintenance of such things should be on the title reports. Mr. Green said it was shown on the title reports for the lots in the subdivision to which Commissioner Fitzpatrick referred, and it could be shown in the title report for the Adams Farms Subdivision.

Mr. Garside said it would be a proposal to the City Council at final approval. The Planning Commission could make a recommendation to the Council to accept the proposal.

There were no other questions.

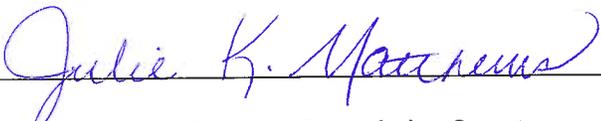
Chairman Gilbert called for a motion on the item.

Commissioner Hansen moved that the Planning Commission grant preliminary approval to Adams Farms Subdivision 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 Van Drunen moved to close Public Review and adjourn the meeting. The motion was seconded by Commissioner Weaver, and the voting was unanimous.

The meeting adjourned at 8:22 p.m.



Julie K. Matthews, Planning Commission Secretary