

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

MAY 26, 2015

MEMBERS PRESENT: Brian Bodily, Dawn Fitzpatrick, Gerald Gilbert, Brett Nilsson, Robert Van Drunen, Dave Weaver

MEMBERS ABSENT: Wynn Hansen, Randy Pulham, L.T. Weese

OTHERS PRESENT: Staff: Bill Wright, Kem Weaver, Nicholas Mills, Julie Matthews

City Council Member: Joy Petro

PUBLIC REVIEW:

1. VILLAGE AT CHURCH AND MAIN – CONDOMINIUM PLAT

This 2.60 acre property is located at the northwest corner of Church Street and Main Street in an MU-TOD (Mixed Use – Transit Oriented Development) zoning district. The property owner and applicant, Brighton Homes Utah, represented by Taylor Spendlove, is proposing 56 townhome units.

Planner II, Kem Weaver, presented the request for condominium plat approval, stating that the development plan had been approved by the Commission on April 14, 2015. The proposed development is for 56 townhomes on a 2.6 acre site.

For financial reasons, each building will have its own tax identification number. The buildings will not be condominiumized by unit but by building. The common area is the landscaping and the private drive to be maintained by the Home Owners Association (HOA). Brighton Homes Utah will build all of the buildings in phases.

There was a discussion regarding how the improvements would be done and where construction vehicles would park. Mr. Weaver said the developer/builder would work with the City Engineer on a traffic plan.

A property/management company will maintain the property. There was a discussion of property maintenance and the timing of building each building. Commissioner Bodily said a developer can build one building at a time. Usually they start with two building and then when 75 percent is done, they build additional buildings.

There was a discussion of dumpsters and parking. Regulations for these items will be in the CC&R's.

There was a discussion on detention. Mr. Weaver will work with the Engineering Department on that issue. Underground detention is being considered.

Amenities for the development were discussed.

Commissioner Fitzpatrick asked what 56 units do to the ratio of family home/apartments. Community & Economic Development Director, Bill Wright, said this property is exempt in the MU-TOD zone. This is where the City is encouraging multi-family. The other property left is the Winkle property on the east side of Main Street.

OTHER:

Commissioner Bodily asked about the IHC property on the west side of the train station. Mr. Wright said IHC is considering a wellness village for the 19 acres – everything from independent living to the assisted living. It would be more of the condo, high rise approach, and possibly restaurants and theatres. The hospital would be on the south side. An announcement will be made on June 10, 2015.

Chairman Gilbert asked for a clear understanding of the bee ordinance.

Chairman Gilbert expressed concerns about the change in the Barlow/Frost rezone zoning when it went to the City Council with just some R-1-6 property and none of the R-1-10. His concern was that Gordon Avenue would not be extended with the current phasing of the development. He felt the item should have come back to the Planning Commission for review.

Mr. Wright said the developer brought the full plan to the Planning Commission. He said there was another piece not brought to the Commission because there were still issues to work out with the Engineering Division to bring the development to City standards.

Mr. Matson said the extension of Gordon Avenue may be put in the CFP.

With regard to the WinCo permit, Mr. Wright said they are still wait for Rocky Mountain Power to move approve the plans to move power lines.

Commissioner Nilsson asked about the care center parking research that was to be done. The Planning Staff would do that.

Mr. Weaver said the bee ordinance would be e-mailed to the Commission at the end of the week so they can review it and make comments.


Julie K. Matthews, Planning Commission Secretary

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Chairman Gilbert called the meeting to order at 7:06 p.m.

The Pledge of Allegiance was recited, and an invocation was given by Commissioner Nilsson.

Chairman Gilbert called for a motion to approve the March 24, 2015, Planning Commission Meeting minutes as written. Commissioner Van Drunen seconded the motion, and the voting was unanimous.

PUBLIC REVIEW:

1. VILLAGE AT CHURCH AND MAIN – FINAL CONDOMINIUM PLAT

This 2.60 acre property is located at the northwest corner of Church Street and Main Street in an MU-TOD (Mixed Use – Transit Oriented Development) zoning district. The property owner and applicant, Brighton Homes Utah, represented by Taylor Spendlove, is proposing 56 townhome units.

Planner II, Kem Weaver, presented the request for final approval of the condominium town home project. He said the development plan was approved on April 14, 2015. Brighton Homes, the applicant, is requesting plat approval for this project on the northwest corner of Church Street and Main Street with access and frontage on Cross Street. The buildings on the site have been demolished (church and car dealership). The density range is 8-31 units per acre in the MU-TOD zone. The developer is proposing 56 townhomes on 2.6 acres, which is 21.54 units per acre. The proposal meets the density range, and no density bonus is required.

The purpose for the plat for townhome units is to have separate ownership by building rather by unit. The purpose is for financing the project. The developer will maintain ownership once they are constructed, but each building may be sold in the future.

Mr. Weaver said Staff recommends the Planning Commission forward a positive recommendation to the City Council to grant final condominium plat approval.

Commissioner Bodily asked the developer if he would sell by building or by unit. Mr. Weaver said a sale can only be by building because each unit will not have its own tax identification number.

The developer, Patrick Scott of Brighton Homes, 215 North Redwood Suite 8 in North Salt Lake, was asked how long until total completion. Mr. Scott said 18 months. They would start with Building 1 first and work clockwise around the project to get the frontage on Main Street looking as nice as possible. They would keep construction areas on one side and finished residences on the other side of the development.

Chairman Gilbert asked if the Commission could recommend the order of construction of the buildings and ask for Buildings 3 and 4 to follow 1 and 2 so that the Church Street frontage would look completed as well.

Associate City Attorney, Nicholas Mills, said he thought that recommendation could be made, but the Commission must state the reason.

Mr. Scott expressed concerns with the suggestion. He said if people are in 1, 2, 3, and 4 with construction vehicles blocking the street, it will not work well with staging the project. There would be much more construction traffic.

Commissioner Nilsson asked about CC &R's with the 9 different buildings. Mr. Scott said there would be one governing set of documents and an associate with the voting interest based on buildings owned. He said, although it's hard to predict the future, Brighton intends to retain ownership of the buildings.

Commissioner Bodily asked if each building would have its own meter. Mr. Scott said there would be a master water meter per building. Power and gas would be metered per unit, and the sewer would be billed to the association as a whole.

Commissioner Bodily asked why they would not give tax identification numbers to each unit. Mr. Scott said for tax purposes, the smaller the parcel, the higher the tax liability.

There was a discussion on the building of the roads in the development and fire access. CC&R's will be received before the plat is recorded.

There was a lengthy discussion on future ownership and maintenance of the development and what percentage needed to be finished before turning the maintenance over to the HOA. Mr. Scott said Brighton Homes intended to continue ownership and maintenance. Any new ownership would be held to the approved development plan.

There was no further discussion. Chairman Gilbert called for a motion on the item.

Commissioner Bodily moved that the Planning Commission forward a positive recommendation to the City Council to approve the condominium plat subject to meeting all Staff requirements, with the recommendation that the buildings on Church Street and Main Street be completed first.

Commissioner Van Drunen questioned the motion and verified that it was only a recommendation to the Council on the order the buildings would be built because he understood the developers concerns about construction traffic and the residents. 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 Nilsson moved to close Public Review and adjourn the meeting. Commissioner Van Drunen seconded the motion, and the voting was unanimous.

The meeting adjourned at 7:30 p.m.



Julie K. Matthews, Planning Commission Secretary