

**LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES  
SEPTEMBER 22, 2015**

**MEMBERS PRESENT:** Brian Bodily, Dawn Fitzpatrick, Brett Nilsson, Robert VanDrunen, Dave Weaver, Randy Pulham, Wynn Hansen, Tricia Pilny, Daniela Harding

**MEMBERS ABSENT:**

**OTHERS PRESENT:** Staff: Bill Wright, Peter Matson, Kem Weaver, Nicholas Mills, Christy Wixom, Weston Applonie, Woody Woodruff, JoEllen Grandy, Ryan Pickup

City Council Members: Tom Day

- **Commissioner VanDrunen is excused from the Planning Commission meeting on October 13, 2015.**
- **Discussion on Mobile Food Vendor (food truck and trailers research)**

Mr. Applonie said food trucks have become a fast growing segment within the dining industry. During last spring and summer staff had seen an increased desire for food trucks to locate within Layton City, as well as businesses requesting food trucks to operate temporarily or long term at their location. The National League of Cities reported in 2013 that mobile food trucking generated approximately \$650 million of revenue annually with the projection of \$2.7 billion in the food revenue over the next five years. One thing that hinders the growth of the food trucks is city ordinances. Out of the 31 cities that staff contacted 19 of them did not have food truck ordinances. Out of those 19 cities, five are considering an ordinance or are in the process of a draft ordinance. Out of the 12 cities that have a food truck ordinance, three of the cities adopted an ordinance within the last six months. This is a very active process that a lot of cities are addressing along the Wasatch Front.

There are 33 food trucks that are registered with Davis County Health Department in which 21 percent reside from Layton and 69 percent from Davis County. Commissioner VanDrunen asked if there were only three food truck vendors that work in Salt Lake City. Mr. Applonie said there are only three from Salt Lake County that are registered to work in Davis County. Currently, the City classifies food trucks as a street vendor, which requires street vendor permit and property owner permission for a single location. However, if an additional location is requested we have been working with vendors to allow for multiple locations as long as property owner permission is obtained. Street vendors can't be larger than 100 square feet and have a temporary business license renewal of four months. Currently they are permitting in the C-H, CP-3, MU, and MU-TOD zoning districts.

The feedback we have received from food trucks is that it's difficult finding desirable locations within current zoning. Businesses requesting food trucks to be located at their business or office do not meet current zoning requirements. The draft ordinance proposes to increase the allowed zoning districts to include all B-RP, C, M, and MU zoning districts, and allow limited use within the public right-of-way. Food trucks want the ability to move around, the draft ordinance proposes allowing food trucks to be registered at multiple locations as long as there is property owner permission. The draft ordinance does propose to require a 200 foot buffer from restaurants, parks and schools. Commissioner VanDrunen asked, if a brick and mortar restaurant had a food truck and wanted to put it in their parking lot, would it be allowed? Mr. Applonie said, there is a stipulation for food trucks to be permitted in the buffer as

long as the restaurant gives permission. The proposed draft also includes an annual fire inspection, fire department safety requirements, and a background check. Madam Chair Fitzpatrick said it says the applicant or driver can't have any offenses for three years yet its ok for a regular employee. Mr. Applonie said the intent is for the background check requirements to apply to anyone operating a food truck; staff will re-look at the language to address this safety concern. Staff will also make corrections to the proposed draft ordinance, where it states no less than 180 days for a background check, it should state no more than 180 days.

Commissioner Harding asked if they are allowed to have seating such as picnic tables. Mr. Applonie said they are allowed however, no more than 15 percent of the parking lot can be used. Most of the food truck vendors do not carry seating with them because they like to be mobile. Commissioner Nilsson likes the idea of enforcing food truck vendors to have a permit. Commissioner Pilny asked if they had to have a permit to move around. Mr. Applonie said they would be required to have a city permit but they would need a letter from every owner granting them permission to be on their property. However, other cities give them a time limit for each location. The Planning Commission will continue this discussion during the next work meeting on October 13, 2015.

## **PUBLIC HEARING:**

### **1. ADAMS/LAYTON/PERKINS-CRAYTHORNE DEVELOPMENT REZONE & DEV. AGREEMENT - A TO R-1-8**

This 17.10 acre property is located at approximately 608 West Weaver Lane. The property is zoned A (Agriculture) and is proposed for R-1-8 (Single Family Residential) zoning. The applicant is Craythorne Development, representing Luke and Diana Adams, Dan and Ann Layton, and Glenn Perkins.

Mr. Matson said in June and July of this year, the Planning Commission and City Council had reviewed a rezoning request for the Luke and Diana Adams property which consisted of approximately 17 acres located from Gentile Street to the D&RG Rail Trail Corridor. That request was withdrawn on July 16, 2015 to seek a better layout of land for a single family subdivision. The new rezoning request includes additional properties that provides for street and utility connections more efficiently and less interruption to or segmenting of existing farming operations. The Adams family property is located in middle, the Layton family property is located on either side and the Perkins family property is located closer to Weaver Lane. The property is about 1500 feet along the rail trail corridor, about 325 feet of frontage on Weaver, and goes up along the edge of the existing subdivision with stub streets at 350 South and 425 South that would ultimately connect into Weaver Lane under the guidelines and requirements of the R-1-8 zoning district. The residential subdivisions in the general neighborhood (bounded by Gentile Street on the north, Flint Street on the east, Layton Parkway on the south and Angle Street on the west) are zoned primarily R-1-8 and some R-1-10. The General Plan recommendation for this area of the City is for single family residential at 2 to 4 foot acre density range. Mr. Craythorne is working with Ed Green to use the R-1-8 zone and will probably average approximately 10,000 to 11,000 square foot lots. The R-1-8 compared to the R-1-10 has a little bit of flexibility on the side yard setbacks and lot widths. There are some utility requirements related to storm drainage which are outlined in the engineering memo from Shannon Hansen. It is also noted by the Parks Department that this area has a gap in service and so the Parks Department will be working with either this property owner or some of the surrounding property owners to look at some possibilities of setting aside ground for a neighborhood park. Recommendation from staff is approval.

Commissioner Harding asked if there was going to be an established home owners association to maintain a pond. Mr. Matson said yes it would be a storm drainage detention pond. This needs to be built on the southern portion so that water can be detained before it is discharged into the 48 inch pipe that is on the western boundary. Madam Chair Fitzpatrick said at 425 South there is a 36 inch pipe and

if that pipe is not at capacity would it hold enough water to avoid the detention basin. Mr. Craythorne said the water also goes into 48 inch pipe.

Madam Chair Fitzpatrick asked for clarification regarding the engineering report under the street section. Mr. Matson said under the City's Master Transportation Plan there will be an extension of King Street south to the development. The developer will have to take this extension into account and size their road accordingly so that there will be a local collector road that lines up to Vance Drive. Commissioner Nilsson asked why we have no access from that area onto the trail. Mr. Matson said you have access to the trail at Weaver Lane. Madam Chair Fitzpatrick said we have a cul-de-sac on the west side but wanted to know what they were going to do on the east side. Mr. Matson said it would have to be taken into account in the design of the plat and so far that side was not included in the plat. Madam Chair Fitzpatrick wanted to know who is responsible for maintaining the west side. Mr. Matson said the City is responsible for maintaining this area. Commissioner Hansen wanted to know why Weaver Lane did not go through. Mr. Matson said the city had to remove the crossing when we gained the crossing at Layton Parkway which was a requirement of Utah Transit Authority (UTA), the owner of the trail corridor. Commissioner Weaver asked if the city usually tries to put a detention basin in the park. Mr. Matson said yes that is a great possibility. Madam Chair Fitzpatrick asked Mr. Craythorne if the detention basin will be small. Mr. Craythorne said the detention basin would be approximately 1/3 acre in size. Commissioner Harding wanted to know why it says in the parks memo that there should be no access allowed onto the D&RGW Trail from Layton-Perkins/Craythorne Development. Ms. Grandy said the reason for this is so the public accesses the trail at designated trailheads. However, lot owners can have a private entry gate.

## **2. STEWART-MINER REZONE AND PARCEL SPLIT - A TO R-S**

This 1.16 acre property is located at approximately 300 South 3200 West. The property is zoned A (Agriculture) and is proposed for R-S (Residential Suburban) zoning. The applicant is Bradley D. Miner, representing David P. Stewart.

Mr. Matson said the proposal is to split off just under a half acre of the larger piece. The rezone would be 1.16 acres. There is a home on the south parcel and Mr. Miner would build a home on the proposed half acre lot. The zoning proposed is R-S and this request meets the guidelines and standards. There are some corrections on the plat that Ms. Hansen from the City's Engineering Department has requested from the applicant. We did receive some corrections today so by time it goes to City Council all those corrections will have been made. Madam Chair Fitzpatrick said that one report from Engineering says 2.3 acres and the report from Mr. Matson says 1.16 acres. Mr. Matson said that Mr. Stewart owns two parcels that are back to back from each other. The front one is in the City and the back one is in the County. The overall acreage is 2.3; however the area in front that is in the City is 1.16 acres. Madam Chair Fitzpatrick said there are two memos from Ms. Hansen recommending that this parcel split not be approved until all ten items have been addressed. Mr. Matson said we just received the submittal of the drawing today and so once it's approved through City Council there will be a clean legal description and a clean memo from the Engineering Department. Commissioner Hansen asked if the 22 feet is so they can get access to the back property. Mr. Matson said that is how they get back there and if they ever wanted to develop the back property they would have to annex it and access to it would have to come from a different side.

## **3. BARLOW ANNEXATION AND REZONE AND ANNEXATION AGREEMENT – A to R-S PRUD**

This 8.84 acre property is located at approximately 1700 W. Weaver Lane. The property is zoned A (Agriculture) and is proposed for R-S PRUD (Residential Suburban-Planned Residential Unit Development) zoning. The applicant is Ovation Homes LLC, representing Duncan Barlow.

Mr. Matson said the Development Review Staff met with the applicant, Norman and Brad Frost, and went over the draft Annexation Agreement and there are a number of improvements that are needed both on and off site. There is some cost issues associated with Weaver Lane and so the applicant is asking that Planning Commission to table this until the next Planning Commission meeting on October 13, 2015. Mr. Frost agrees with that timeframe. Mr. Matson said that some of the issues were resolved. There were general concerns from the Planning Commission about the masonry wall, the trail, the utilities, the school and the overall development. There will be further discussion on these matters in the next Planning Commission meeting.

Madam Chair Fitzpatrick said there were two issues that needed to be corrected. Under the owners undertaking on 2.2 it says two attached single family homes and the plat shows three attached single family homes. Also, in the owners' undertakings on 4.1 it states an R-1-6 zone and it should be an R-S PRUD zone. Mr. Matson said he would make those changes.

## **PUBLIC REVIEW:**

### **4. FIRTH SUBDIVISION-FINAL PLAT**

This 1.03 acre property is located at 1389 North Church Street. This property is located in an A (Agriculture) zone. The applicant and property owner is Ralph and Kathryn Firth.

Mr. Matson said this property is north of Gordon Avenue on Church Street. Mr. Firth and his family have owned property in that area for a number of years. The proposal is for final plat approval to build a single family home. Commissioner VanDrunen wanted to know why we are leaving it agriculture and no curb and sidewalks. Mr. Matson said it was originally zoned agriculture and this zone allows single family homes on one acre lots. There is existing curb and gutter on Church Street so only sidewalk will be added. Commissioner Weaver said, didn't we talk about street cuts on Church Street? Mr. Matson said it was on the north end of Antelope Drive.

### **5. HARMONY PLACE PRUD – PRELIMINARY PLAT**

This 36.96 acre property is located at approximately 2375 West Gentile Street. This property is located in an R-S PRUD (Residential Suburban-Planned Residential Unit Development) zone. The applicant, Dan Reeves, is representing Perry Homes Utah, Inc.

Mr. Weaver said five years ago Perry Homes received rezone approval from the City Council to go from a regular lot average R-S subdivision to include a PRUD overlay. One purpose for the rezone was the Davis School District purchased 12.18 acres of the original subdivision to put in an elementary school. Mr. Weaver spoke with the school district and building the school is probably 4 to 5 years out. They understand that there is a lot of future development taking place in this area of Layton City. Commissioner VanDrunen asked where the elementary school is located. Mr. Weaver pointed out the site and said there would be good access through the subdivision to the elementary school. Mr. Weaver said another advantage of doing a PRUD is for a 6.73 acre park that would be dedicated by the developer to the City. Mr. Weaver said they are currently in discussion with the school district regarding sharing amenities. The school district will put in their standard elementary school items, such as, basketball courts, tether ball and play fields. The school district will correlate with the City on what amenities the park and the school will do.

Madam Chair Fitzpatrick asked if the six acre park was part of the 36.96 acres. Mr. Weaver said yes it is part of the 36.96 acres but the school site is not part of it. Commissioner Harding asked where is the

parking for the City park. Mr. Weaver said the parking lot is part of the 6.73 acres located next to 250 South.

Commissioner Harding asked if there was a trail system in the subdivision. Mr. Weaver said no just the sidewalks through the common area. Mr. Day asked if there is the required open space. Mr. Weaver said yes. Commissioner VanDrunen asked if they were requiring street trees. Mr. Weaver said yes. Madam Chair Fitzpatrick said we currently have a Sunset Drive with the same set of numbers and was concerned that Sunset Drive and Sunset Way may be confusing to residents. Mr. Weaver will take a look at the names. Madam Chair Fitzpatrick was concerned about giving them a density bonus if all the homes had to be masonry. Mr. Weaver said they do not have to be all masonry. The ordinance says if you have at least 75 percent masonry on your homes you do get a density bonus in a PRUD. Madam Chair Fitzpatrick wanted to know if we should have a current geotechnical report. Mr. Weaver said no. Commissioner VanDrunen asked if we ever give a density bonus for streetscape design. Mr. Weaver said yes, it is in the PRUD ordinance.

Commissioner Harding asked if there was going to be a homeowners association. Mr. Weaver said yes. Madam Chair Fitzpatrick asked at what point the park will be dedicated to the City. Mr. Weaver said through the final plat process it will probably be with one of the phases. Until it is developed it will be the responsibility of the developer to make sure the weeds are down and it is maintained. The developer will not turn over the PRUD development to the homeowners association until it is 80 percent completed. Mr. Day asked about the two irrigation lines that are mentioned, the need to have the right a way and if the letter from the school district was done. Mr. Weaver said the developer is working with Davis Weber Canal and JUB to get an easement. Mr. Day said there is only one stub to the west on the far south side and it seems like a long area without a stub street into the adjacent property. Mr. Weaver said, the other side of the adjacent property owner, they will be able to use 2700 West to have property frontage. Mr. Weaver said they can have a discussion on whether a stub is needed. The blocks within the subdivision meet the ordinance for block lengths.

Commissioner Bodily asked what way the school will face. Mr. Weaver said not sure yet but most likely the school will face to the south east. Commissioner Weaver asked if the developer has seen the nine recommendations from Design Review Committee. Mr. Weaver said yes the developer was part of the Design Review Committee meetings. Madam Chair Fitzpatrick asked if some of these homes were going to be raised to have basements. Mr. Weaver said yes some of the homes may need to be raised. Commissioner Harding asked what the requirement was for the street lights in the subdivision. Mr. Woodruff said they put them typically at the corners, cul-de-sacs and space them every 300 feet. Commissioner Weaver asked if there have been any calls regarding the additional traffic on Gentile Street. Mr. Weaver said he was not aware of any calls or complaints. A resident, Mike Kolendrianos, wanted to know if there was still going to be a catch basin. Mr. Weaver said there will be a catch basin and it will be landscaped. Commissioner Pilny asked if the 26 items of concern on the preliminary plat have been addressed. Mr. Weaver said they will be addressed before final plats are approved. Commissioner Hansen suggested that the developer revisit the idea of putting in different type of trees as the trees that are designated on the landscape plan eventually will turn yellow.

## **6. COTTAGES AT VALLEY VIEW SUBDIVISION PHASE I – FINAL PLAT**

This 5.38 acre property is located at approximately 2150 East Oakridge Drive. The property is located in an R-1-6 (Single Family Residential) zone. The applicant, Brad Frost, is representing Ovation Homes.

Mr. Weaver said on July 14, 2015, the Planning Commission approved the preliminary plat for 18 lots. They are located to the south between Oakridge Drive and the Valley View golf course. The applicant is proposing to develop a single family subdivision. These types of homeowners are often referred to as

“empty nesters” and are single story homes. The development of the subdivision requires the construction of a standard 60-foot minor collector street that runs parallel with the gas pipelines and connects Oakridge Drive to the future Gordon Avenue right-of-way. The subdivision meets the density required in the development agreement which is not to exceed 3.34 units per acre.

Madam Chair Fitzpatrick said in the engineering report the sewer laterals for lots 101, 102, 103 and 104 appear to be encroaching into the shown 18” separation required by the gas companies. Can this be fixed? Mr. Weaver said the encroachment will need to be fixed and meet the pipeline company standards. Madam Chair Fitzpatrick said in the dedication plat it says the developers decided against a street light on the private street and feels this is unsafe as they are elderly and need lighting. Mr. Frost said they will put a street light in. Commissioner Weaver said in the second paragraph in the staff report it says approximately 18 lots. Is it 18 lots? Mr. Weaver said it is 18 lots and will delete the word approximately. Commissioner Weaver asked if the streetscape for the entry on Oakridge Drive will be the same as across the street. Mr. Frost said they will make it nice but it will not be exactly the same because some of the areas are on top of gas lines and you can’t put much landscape on it but there will be sod and grasses. Commissioner VanDrunen asked if there will be trees on the other side on the parking strip. Mr. Wright said they will be required to put some street trees in.

#### **WINDMILL SUBDIVISION PHASE I – FINAL PLAT**

This 26.09 acre property is located at approximately 100 South 3200 West. The property is located in an R-S (Residential Suburban) zone. The applicant, representing Destination Homes, is represented by Cameron Scott.

Mr. Weaver said on July 14, 2015 the Planning Commission approved the preliminary plat for the Windmill Subdivision. The final plat will consist of 28 lots on 13.483 acres with a density of 2.07 units per acre. There will be a connection for accessing the subdivision from 3200 West which will be 100 South Street. The applicant has accommodated the property owner to the north, Scott Bone, by shifting the stubbed street adjacent to his boundary to the east to provide a future street connection to Gentile Street. Commissioner VanDrunen asked if Mr. Bone was okay with what Mr. Scott was planning to do. Mr. Weaver said yes.

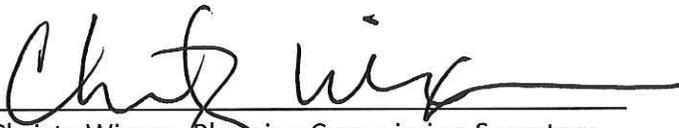
Mr. Weaver said per the Annexation Agreement, the developer is required to install a sidewalk from the future 100 South Street to Gentile Street along 3200 West. The developer will have to work with the City and existing homeowners on 3200 West to best install a sidewalk. Madam Chair Fitzpatrick asked if Mr. Scott has worked with the homeowners on 3200 West for the placement of the sidewalk. Mr. Scott said they will work it out with the homeowners. Commissioner VanDrunen asked what the park strip was on the subdivision. Mr. Weaver said inside the subdivision the park strips will be 7 ½ feet. On the outside of the subdivision it will be 4 ½ feet.

#### **7. FLINT FIELDS SUBDIVISION PHASE I – FINAL PLAT**

This 9.79 acre property is located at approximately 2300 West Gentile Street. The property is zoned R-S (Residential Suburban) zone. The applicant, Castle Creek Homes, is represented by Bryce Thurgood.

Mr. Weaver said Flint Fields Phase I included frontage on Gentile Street. The Rocky Mountain Power corridor is on the west side of the subdivision. Phase I will consist of 23 lots on 9.785 acres with a density of 2.35 units per acre. A landscape buffer is required along Gentile Street with a privacy fence along the side of lots 101 and 123 that are adjacent to Gentile Street. The owners of lots 101 and 123 will be required to maintain landscaping and fencing that resides within an easement on their property on Gentile Street. Commissioner Hansen asked where the driveway access to the lots 101 and 123 will be located at. Mr. Weaver said the driveway access will be on the subdivision street. Madam Chair

Fitzpatrick asked about the temporary turnaround on the engineering report. Mr. Weaver said they are required to have a turn around. Madam Chair Fitzpatrick asked if the fiber optic box along Gentile will need to coordinate with Utopia. Mr. Weaver said they will have to shift it to the north behind the sidewalk. Commissioner Harding asked what it meant when the Parks and Recreation Department said they had a regional trail corridor planned through the Utah Power and Light Company easement to the west of this site plan. Mr. Weaver said the corridor is planned to be a regional trail through Davis County. Commissioner Pulham asked what the City's plan is to handle the increase in traffic. Mr. Weaver said they went through the Transportation Master Plan that has yet to be adopted by the City Council, but with the addition of Layton Parkway to the south and connecting to the interchange of the West Davis Corridor it should take a lot of traffic off of Gentile Street. Mr. Woodruff said the worst case scenario on Gentile Street is towards Main Street. They saw a reduction when Layton Parkway was built. Mr. Day said in the Engineering memo, item number 6, it states written approval from irrigation users approving the elimination of the existing ditch system will need to be submitted. The ditch on the north needs to be within a 10 foot pipe easement. Mr. Weaver said he would note that.



Christy Wixom, Planning Commission Secretary

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**MEMBERS PRESENT:** Brian Bodily, Dawn Fitzpatrick, Brett Nilsson, Robert Van Drunen, Dave Weaver, Randy Pulham, Wynn Hansen, Daniela Harding, Tricia Pilny

**MEMBERS ABSENT:**

**OTHERS PRESENT:** Staff: Bill Wright, Peter Matson, Kem Weaver, Nicholas Mills, Christy Wixom, Weston Applonie, Woody Woodruff, JoEllen Grandy, Ryan Pickup

City Council Members: Tom Day

Madam Chair Fitzpatrick called the meeting to order at 7:05 p.m.

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

Approval of Minutes for August 25, 2015 and September 8, 2015: Madam Chair Fitzpatrick said she would like to take a few minutes on the meeting on October 27, 2015 to be able to talk about the conferences they attended. On August 25, 2015 at the regular meeting page three paragraph four, the third sentence needs to be completed and on the work meeting for August 25, on page three change Mr. Ruby to Baruby. Commissioner Bodily motions to approve the minutes for the work meeting and regular Planning Commission meeting for August 25 and September 8 subject to making the changes. Commissioner VanDrunen seconds the motion. Voting was unanimous.

Madam Chair Fitzpatrick asked for a motion to open public review. Commissioner Nilsson motioned to open public review and Commissioner Weaver seconded the motion. Voting was unanimous.

**PUBLIC HEARING:**

**1. ADAMS/LAYTON/PERKINS-CRAYTHORNE DEVELOPMENT REZONE & DEV. AGREEMENT - A TO R-1-8**

This 17.10 acre property is located at approximately 608 West Weaver Lane. The property is zoned A (Agriculture) and is proposed for R-1-8 (Single Family Residential) zoning. The applicant is Craythorne Development, representing Luke and Diana Adams, Dan and Ann Layton, and Glenn Perkins.

Mr. Matson said this property is located at approximately 608 West Weaver Lane. The property is presently zoned Agriculture. Earlier this year, the Planning Commission and City Council had reviewed a rezoning request for the Luke and Diana Adams property consisting of approximately 17 acres located from Gentile Street to the D&RGW Rail Trail Corridor. The request was withdrawn on July 16, 2015 to seek a better layout of land for a single family subdivision. The rezone area is triangular in shape. The residential subdivisions in this general neighborhood (bounded by Gentile Street on the north, Flint Street on the east, Layton Parkway on the south and Angle Street on the west) are zoned primarily R-1-8 and some R-1-10. The General Plan recommendation for this area of the City is for single family residential at 2-4 units per acre. The proposed R-1-8 zone is within this density range and consistent with the General Plan recommendation. The rezone is serviceable by city streets and utilities in the area. Streets can connect to Weaver Lane in alignment with Vance Drive. There will be an extension from King Street down to the development so there will be a local collector road that lines up with Vance Drive. If the property is changed to R-1-8, the developer will have to comply with the guidelines

made by the engineering department. A water line is available at Weaver Lane and 350 South. Sewer is available at 425 South and there is also a sewer line within the easement on the east side of the property. The biggest issue with storm drainage is that in order to discharge into an existing 48 inch line on the southwest boundary there would need to be a small detention pond to detain that water before it's released into that system. This will need to be landscaped and maintained by a home owners association. With those guidelines and recommendations from the City's General Plan and consistency with the land use patterns in this area, staff is recommending that the Planning Commission forward a positive recommendation to the City Council to approve this rezone request from A to R-1-8.

Commissioner Weaver said on the engineering memo under secondary water it states that a "will serve" letter will need to be provided at the preliminary subdivision stage of development from the irrigation company. Do you know if a "will serve" letter has been obtained? Mr. Matson said he is not aware as of yet that it has been obtained. It would not be a requirement of zoning but would be a requirement for the preliminary plat. Commissioner Bodily asked about the location of the R-1-10 zoning that is shown on the map, how far does it go to the south before it meets the R-1-8 zoning? Mr. Matson said the R-1-10 is just the north portion of the subdivision.

Eric Craythorne, 2596 West 550 North, West Point, said there had been some challenges trying to get out to Weaver Lane and 350 South but those have all been resolved and he is here to propose the new rezone. Tom Day, 2049 Ridge Road, asked what the plan was for all the property that is north and west in relation to the detention pond. Will that be designed to handle that area? Mr. Woodruff said they are planning a regional pond that would handle the drainage of the entire piece up to Gentile Street. There will be coordination on whether the developer will build that but typically he would need to build his portion for that area. There has been discussion that the City would like it to be built all at once and the City would participate in that.

Madam Chair Fitzpatrick brought it back to the Commission for a motion. Commissioner Weaver would like to second Mr. Matson's comment earlier about finding a better layout because back in May and June there was specific contention and issues. All this property ought to be developed uniformly and there was plenty of comment about how the original proposal didn't allow that to happen. So it is refreshing from a Planning Commissioners standpoint that developers and property owners get together and come up with something that actually makes more sense and is a nice addition to the City. Commissioner Weaver moved that the Planning Commission forward a positive recommendation to the City Council to adopt Ordinance 15-33 approving the rezone request from A to R-1-8 based on consistency of General Plan land use and density recommendations for this part of the City and to incorporate all staff input into the motion. Commissioner Bodily seconded the motion. Voting was unanimous.

## **2. STEWART-MINER REZONE AND PARCEL SPLIT - A TO R-S**

This 1.16 acre property is located at approximately 300 South 3200 West. The property is zoned A (Agriculture) and is proposed for R-S (Residential Suburban) zoning. The applicant is Bradley D. Miner, representing David P. Stewart.

Mr. Matson said this property is located in the southwest portion of the City. This property is located on the west side of 3200 West. The property proposed to rezone is 1.16 acres and the parcel split to be split from the larger piece is .48 acres. The parcel split will create two lots with the south lot occupied by an existing single family home and the north lot for the applicant to build a new single family home. The south parcel will be .67 acres and a 22-foot wide strip north of the north parcel will be left over for access to a 1.06 acre parcel to the west, which is in unincorporated county. Legal descriptions have been submitted and they are under review. The corrections will be made before this goes to the City

Council. The R-S zone that is proposed is the typical zoning district in this part of the City consistent with the General Plan. Both the lot being created and the lot left over would meet the zoning requirements of the R-S zone and also the frontage and lot width requirements. The first motion is that staff is recommending approval of the rezone from A to R-S. The second motion is to approve the parcel split. Madam Chair Fitzpatrick brought it back to the Commission for a motion.

Commissioner Nilsson moved that the Planning Commission forward a positive recommendation to the City Council to adopt Ordinance 15-32 approving the rezone request from A to R-S. Commissioner VanDrunen seconded the motion. Voting was unanimous.

Commissioner Nilsson moved to forward a positive recommendation to the City Council on the parcel split based on consistency with the General Plan recommendations and lot area recommendations of the R-S zone. Commissioner Hansen seconded the motion. Voting was unanimous.

### **3. BARLOW ANNEXATION AND REZONE AND ANNEXATION AGREEMENT – A to R-S PRUD**

This 8.84 acre property is located at approximately 1700 W. Weaver Lane. The property is zoned A (Agriculture) and is proposed for R-S PRUD (Residential Suburban-Planned Residential Unit Development) zoning. The applicant is Ovation Homes LLC, representing Duncan Barlow.

Mr. Matson said the staff has met with the applicant and discussed some of the details of the proposed draft Annexation Agreement and the applicant has requested that this to be tabled until the next meeting which is October 13, 2015, to allow additional time to review the details regarding the draft Annexation Agreement and work out some of the issues.

This property is located on the north end of Weaver Lane. The Barlow Corporation has sold a portion of the property to Davis School District for a future Junior High School to the east. A portion of the property will be for the West Davis corridor. The proposal is to develop a R-S PRUD with single family homes on lots on the east side with a public street and with 2 and 3 unit attached single level condominium units with two car garages on the west portion. The Davis School District has not yet presented an annexation petition. Their proposal would be to build the Junior High School building more towards the north end of the property and get sewer out to the north end trunk line. The R- S PRUD is a consistent zoning designation that has been used in this part of the City. They can do single and attached units but there are additional open space requirements with attach units versus detaching the units. The applicant will be exploring various design alternatives. The staff supports the request from the applicant to table this and will continue to work with the developer and bring this back to the Planning Commission at the next meeting.

Commissioner Bodily asked if the Davis School District property had to be annexed. Mr. Matson said the City would like to see that happen and does not see a reason why it should not happen. Commissioner Nilsson asked Mr. Matson to explain the park area that is proposed. Mr. Matson said this future park property is at the southwest end of Weaver Lane. The City now owns that property with the intent on building a park facility. The KaysCreek Trail and parking would serve both the future park and trail users. Commissioner Pilny asked if the flood plain area is smaller than what is noted, will they have more residential units to take over that space? Mr. Matson said not necessarily; the number of lots is regulated by the guidelines of the R-S PRUD zoning requirements. Commissioner Weaver said one of the big desires was trail connectivity, is there a plan to connect the Kays Creek Trail to a trail along the West Davis corridor. Mr. Matson said yes.

Commissioner Bodily moved to table item three until October 13, 2015 as requested by the applicant. Commissioner Pilny seconded the motion. Voting was unanimous.

Madam Chair Fitzpatrick stated that the Planning Commission would be changing the order of the original agenda to group items with the same applicant.

#### **PUBLIC REVIEW:**

#### **4. FLINT FIELDS SUBDIVISION PHASE I – FINAL PLAT**

This 9.79 acre property is located at approximately 2300 West Gentile Street. The property is zoned R-S (Residential Suburban) zone. The applicant, Castle Creek Homes, is represented by Bryce Thurgood.

Mr. Weaver said on July 14, 2015 the Planning Commission approved the preliminary plat for Flint Fields Subdivision Phase I. The applicant, Castle Creek Homes, is requesting final plat approval for 23 lots which this phase is located north of Gentile Street and west of 2200 West. Agricultural properties are to the north, west and south. The future phase of the subdivision will be located to the east. This plat consists of 23 lots on 9.79 acres which creates a density of 2.35 units per acre. As is required by ordinance along arterial streets, the landscape buffer easement and landscaping and fencing are required along lots 101 and 123 since Gentile Street is an arterial street. What will be written in the covenants is to have a requirement that the owner of lot 101 and the owner of lot 123 will have the responsibility to maintain the fencing, landscaping and irrigation of the landscape buffer. All lots meet the R-S requirements for frontage and lot averaged area. The Rocky Mountain Power corridor is located to the west. No dwelling structures will be allowed to be built in the Rocky Mountain Power easements. Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the final plat for Flint Field Subdivision Phase I subject to meeting all staff requirements as outlined in staff memorandums. Mr. Weaver mentioned what Councilmen Day said in the work meeting, there is an irrigation line that runs along the north boundary of the development and would require that it is a 15 foot easement. Commissioner Weaver asked if the irrigation line was on the north border. Mr. Weaver said yes. Commissioner Weaver asked if Mr. Thurgood was aware of the irrigation line.

Ed Greene, 2150 Valley View, said they will get with Davis Weber to find out what needs to be done. Depending on where the ditch is located it may be more on the Church property than on the Flint property.

Commissioner Hansen would like to make a motion that Planning Commission forward a positive recommendation to the City Council to approve the final plat for Flint Fields Subdivision Phase I subject to meeting all staff requirements as outlined in staff memorandum with a note that lot 101 and 123 are to maintain the landscape buffer that will face Gentile Street. Also, the access to lots 101 and 123 will be allowed only off the new road coming into the subdivision and that an appropriate resolution to the status of the irrigation line be worked out between the adjacent property owners and the irrigation company to resolve what size the right-of-way will need to be incorporated to take care of that irrigation pipe. Commissioner VanDrunen seconded the motion. Voting was unanimous.

#### **5. COTTAGES AT VALLEY VIEW SUBDIVISION PHASE I – FINAL PLAT**

This 5.38 acre property is located at approximately 2150 East Oakridge Drive. The property is located in an R-1-6 (Single Family Residential) zone. The applicant, Brad Frost, is representing Ovation Homes.

Mr. Weaver said on July 14, 2015 the Planning Commission approved the preliminary plat for the Cottages at Valley View Subdivision Phase I. The applicant, Ovation Homes, is requesting final plat approval for this phase. This property is surrounded by mostly single family residential to the north, east, and west. Vacant land and the Valley View Golf course are located to the south. The applicant is

proposing to develop a subdivision of 18 single family lots. These are one story, single family homes. The proposed Development Agreement language regarding architecture, square footage, and a home owner's association requirements is similar to the agreement for Cottages at Fairfield. The development of the subdivision requires the construction of a standard 60-foot minor collector street that aligns with the intersection of 2125 East and Oakridge Drive and connects Oakridge Drive to the future Gordon Avenue right-of-way. There are the issues with the pipelines that do run through this property and there are limitations on what can be placed on within the easement of the pipelines. The pipelines are about a foot to two feet deep and so the only landscaping that can be done within this easement is grass. The sidewalk is allowed within the easement and trees will not be allowed. The fencing may be able to be put up however; it is at the discretion of the pipeline company that if they need to access the pipeline where the fence is they can remove the fence. The subdivision meets the density required in the Development Agreement, which is not to exceed 3.34 units per acre. Each lot meets the frontage and area requirements of the zone. As stated in work meeting, lot 1-5 and lot 11 do have a deeper setback from the public street based on the easement for the pipelines. Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the final plat for Cottages at Valley View Phase I subject to meeting all staff requirements that are outlined in the staff memorandum to the developer.

Commissioner Weaver asked if there were any basements planned for this development. Mr. Weaver said not that he was aware of. Norm Frost, 722 North 1550 West, Kaysville said there are 7 lots that probably will have basements because of the way things are falling off on the one side next to the cul-de-sac on the existing subdivision. Commissioner Weaver asked Mr. Frost which lots he was referring to. Mr. Weaver said he is referring to the ones on the west side. Mr. Frost stated they would have walkout basements. Commissioner Weaver asked if the designs that will have slab on grade will require a land drain. Mr. Frost said no. Mr. Mills reminded the Commission about the lighting on the street. Madam Chair Fitzpatrick asked about the street lights. Mr. Frost said generally they do have a street light on the corner which they could move up a little to cover more area but if you feel it's best to have one at the end of the private street, they will put one there. Mr. Frost agreed to put in a second light. Mr. Woodruff recommends one street light at the corner and one at end.

Commissioner VanDrunen moves that the Planning Commission forwards a positive recommendation to the City Council to approve the final plat for Cottages at Valley View Subdivision Phase I subject to meeting all staff requirements as outlined in the staff memorandums and also to install an additional light at the east end of the private street. Commissioner Nilsson seconded the motion. Voting was unanimous.

## **6. FIRTH SUBDIVISION-FINAL PLAT**

This 1.03 acre property is located at approximately 1389 North Church Street. This property is located in an A (Agriculture) zone. The applicant and property owner is Ralph and Kathryn Firth.

Mr. Matson said the applicant is requesting final plat approval to develop 1.03 acres for a single family dwelling. The property is located on west side of Church Street. The property to the north is zoned A (Agricultural) and the property to the south is zoned R-1-10. The single family subdivision fits within the area and the home will front Church Street similar to the other homes in the area. Staff is recommending approval for the final plat. There are some minor corrections from the engineering memo that will need to be corrected. Staff recommends that the Planning Commission forward a positive recommendation to the City Council for approval of this final plat Firth Subdivision. Commissioner Nilsson asked Mr. Matson to talk about it being residential versus agriculture. Mr. Matson said it is the desire of the land owner to formalize this piece of property since it is just over an acre and it is already zoned agriculture does not have an accompanying rezone with it. Commissioner

Hansen asked if Mr. Firth had seen the memos from the Fire Department and the Engineering Department. Mr. Firth said yes.

Commissioner Pilny moves the Planning Commission to forward a positive recommendation to the City Council to approve the final plat for the Firth Subdivision subject to meeting all staff requirements as outlined in the staff memorandums to the developer. Commissioner Hansen seconded the motion. Voting was unanimous.

#### **7. HARMONY PLACE PRUD – PRELIMINARY PLAT**

This 36.96 acre property is located at approximately 2375 West Gentile Street. This property is located in an R-S PRUD (Residential Suburban-Planned Residential Unit Development) zone. The applicant, Dan Reeves, is representing Perry Homes Utah, Inc.

Mr. Weaver said the applicant is requesting preliminary plat approval that contains 36.95 acres of vacant land located south of Gentile Street and north of the Villas at Harmony Place. On May 5, 2010, the City Council approved a rezone of this acreage from R-S to R-S PRUD for Perry Homes who was the applicant at that time. This came with an associated Development Agreement which set guidelines on how the property is to be developed. During the last five years since that rezone was approved by City Council, the developer has been building lots within the Villas of Harmony Place PRUD portion in phases 1B and 1C which are the larger phases of that development. The staff report provides the summary of key elements of the preliminary plat and PRUD plan which includes the density of the development, the Design Review Committee recommendations, shows the architecture of the homes, open spaces, landscaping and what is required for the City park.

During the rezone the Development Agreement was approved capping the total number of lots at 111 with sizes that range from 6300 to 13,400 square feet, which brings the density to 3 units per acre. The City staff and the developer with his landscape architect and the Design Review Committee attended a meeting to review the architecture concept of the homes and also look at the open space plan and the park plan. The Design Review Committee had some recommendations to the Planning Commission and to City Council. Most of them dealt with landscaping issues that need to be taken into consideration. The City has their own park requirements and standards and they have implemented those as part of the design of the City park. The parking has been designed and is still in conceptual stage. The park is to be 6.73 acres in size per the Development Agreement. The applicant can receive a density bonus by agreeing that certain material and installation costs of the park improvements are the responsibility of the applicant. This may include broadcast seed mix to plant the grass and the irrigation system needs to meet the City's standards. Water and sewer laterals need to be provided for the rest room. The City and the applicant are partnering with the Davis School District to share the amenities of the park and also what the School District provides for the elementary school sites.

The Design Review Committee is recommending the Planning Commission and City Council award a density bonus of 25 percent as outlined. Ten percent density bonus is for more than 75 percent of the single family homes being of exterior masonry materials. Five percent density bonus is for a six-foot vinyl perimeter fence for the PRUD. Ten percent density bonus is for park amenities and improvement costs. Based on the number of lots and acreage, the development needed to receive a 21 percent density bonus to obtain 111 lots. The base number of lots allowed is 92 and with a 21 percent density bonus an additional 19 lots can be given equaling 111 lots. The applicant will build homes with both two-car and three-car garage options. Each home is proposed to have masonry materials on the exterior in regards to stucco, brick, rock or hardy board. The developer still wants to put in fencing with a six-foot vinyl fence.

The storm drain system is required to outfall into the regional detention basin located west of the Villas of Harmony Place PRUD and south of the proposed development. The City will build out the remaining detention basin because this is a regional detention basin but the proportional share is with the developers to landscape the detention basin. A land drain system is required throughout the development, which is to be designed to meet City standards and is required due to shallow ground water. A culinary water line and sewer line will be looped with the development of the Harmony Place PRUD and the existing Villas at Harmony Place PRUD. The looping of the culinary water line will enhance fire flow pressure for both developments. The staff recommends Planning Commission forward a positive recommendation to the City Council to approve the preliminary plat for Harmony Place PRUD subject to meeting all staff requirements and the Design Review Committee recommendations as outlined in staff memorandums.

Madam Chair Fitzpatrick asked if the landscape along 2375 West where it meets Gentile will the landscaping go all the way to Gentile. Mr. Kem Weaver said yes. Also, the fire and police department ought to be asked if Sunset is too confusing of a name since we already have a street named Sunset Drive since the numbers tend to run in a similar pattern. Mr. Kem Weaver said he had made note of that and will change the name. Commissioner Kem Weaver said on item 26 where it dictates that the basements are to be no deeper than 6-feet and it requires a foundation drain. Is this the same as a land drain? Mr. Kem Weaver said it is the same.

Dan Reeve, Perry Homes 17 East Winchester Drive, Murray, said the elevations that were shown all have the option to add a three car garage and have made all of the lots wide enough to accommodate a three car garage at least with their plan types and that will be dictated by the developer or owners selection. They do want to reserve the right that the vinyl fence is not a requirement that they are pursuing for the bonus density however, they would like to install the vinyl fence and reserve the right to install the code required chain link fence to separate from the agricultural area and will change the name from Sunset to something else and are open for suggestions. Commissioner Hansen asked Mr. Reeve if he elected to do the vinyl fence would that be an earth tone color. Mr. Reeves said yes. Commissioner Hansen said of the 111 lots how many of those lots are 8000 square feet or less. Mr. Reeves said 80. Commissioner Hansen asked if there was sufficient enough of floor plans that will fit on those 80 lots to provide a decent variety of elevations throughout the development of the subdivision. Mr. Reeves said yes. Commissioner Hansen asked Mr. Reeves to give some consideration to re-evaluate the tree type selection and variety so that they will get a mix of trees that will work long term. Mr. Reeve said yes.

Mike Koendrianos, 2601 West Gentile, said there are irrigation lines that run through this development and a irrigation line that runs along the west boundary and are working to resolve those easement issues. Also, wanted to make a correction that was mentioned in the work meeting, the school bought the property way before the development came into the mix.

Commissioner Bodily moves to forward a positive recommendation to City Council to approve the preliminary plat for Harmony Place Subdivision subject to meeting all Design Review Committee recommendations and staff requirements as outlined in staff memorandums to the developer. Commissioner Weaver seconded the motion. Voting was unanimous.

#### **8. WINDMILL SUBDIVISION PHASE I – FINAL PLAT**

This 26.09 acre property is located at approximately 100 South 3200 West. The property is located in an R-S (Residential Suburban) zone. The applicant, Destination Homes, is represented by Cameron Scott.

Mr. Weaver said on July 14, 2015, the Planning Commission approved the preliminary plat for the Windmill Subdivision. The applicant, Destination Homes, is requesting final plat approval for Phase I for

28 lots in the Windmill Subdivision. This subdivision is surrounded by Agricultural zoning to the north, A and R-S zoning to the east, R-S zoning to the west, and unincorporated county to the south. The final plat consists of 28 lots on 13.48 acres with a density of 2.07 units per acre. There will be a connection for accessing the subdivision from 3200 West. There are four stubbed streets as part of this phase, the one located on the north end has been realigned to assist Mr. Bone by shifting the stubbed street adjacent to his boundary to the east to provide a future street connection to Gentile Street. This will make Mr. Bone's property viable for future single family development. Per the Annexation Agreement, the developer is required to install a sidewalk from the future 100 South Street to Gentile Street along 3200 West. The developer will have to work with the City and existing homeowners on 3200 West to best install a sidewalk. All lots meet the R-S requirements for frontage and lot averaged area. Staff recommends the Planning commission forward a positive recommendation to the City Council to approve the final plat for the Windmill Subdivision Phase I subject to meeting all staff requirements as outlined in staff memorandums to the developer.

Commissioner Weaver moves the Planning Commission to forward a positive recommendation to City Council to approve the Windmill Subdivision Phase I Final Plat subject to meeting all staff requirements as outlined in staff memorandums to the developer. Commissioner Hansen seconded the motion. Voting was unanimous.

Meeting was adjourned at: 8:19



Christy Wixom, Planning Commission Secretary