

**LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
FEBRUARY 9, 2016**

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

MEMBERS ABSENT:

OTHERS PRESENT: Staff: Peter Matson, Christy Wixom, Kem Weaver, Bill Wright, Nicholas Mills

City Council Member: Tom Day

PUBLIC HEARING

1. WIGGILL ESTATES PRUD AND REZONE – A to R-1-6 PRUD

This 7.41 acre property is located at approximately 255 South Fairfield Road. This property is zoned A (Agriculture) and is proposed for R-1-6 PRUD (Single Family Residential – Planned Residential Unit Development) zoning. The applicant is Jerry Preston.

Mr. Matson said Mr. Preston is the applicant for the rezone and is with Elite Craft Homes and is representing the owner Patricia W. Tippetts. The property proposed for rezone includes 7.41 acres located on the east side of Fairfield Road. The rezone area has frontage on Fairfield Road with stub streets connecting into the property from the north and south. The rezone parcel is located directly south of Indian Springs Subdivision and north of Estates at Mutton Hollow Subdivision. The rezone area is surrounded by R-M1 and R-1-8 zoning (Rose Lane, Creekside Oaks Apartments and Indian Springs Subdivision) to the north; R-1-8 and A zoning to the east; R-1-6 zoning (Estates at Mutton Hollow Subdivision) to the south; and R-1-8 and R-2 PRUD zoning (Fiddlers Creek Subdivision and Residences@Holmes Creek Condos) to the west. The rezone area is the last vacant portion of frontage on the east side of Fairfield between Gentile Street and the Kaysville City Boundary. The proposal is to change the rezone from A to R-1-6 PRUD based on the consistency with the General Plan recommendations for this area of the City. The density range associated with the R-1-6 PRUD zone is 5.50 to 7.70 units per acres. The conceptual PRUD plan for this rezone represents a proposal to develop a PRUD of 41 units on 7.41 acres, which is a density of 5.54 units per acre requiring a minor density bonus. The minimum open space required in an R-1-6 PRUD with attached units is 50%. The open space represented on the concept plan is 53.47%.

Commissioner Van Drunen asked what the density was on the R-1-6 zoned subdivision to the south. Mr. Matson said the density is 3.34 units to the acre. The General Plan recommendation for this area of the City is for low density, single family residential at 3-6 units per acre (on the west side of Fairfield Road) and 2-4 units per acre (on the east side of Fairfield Road). The General Plan also recommends the medium density residential developments are appropriate as a transitional use between arterial streets (Fairfield Road) and single family neighborhoods. The General Plan also refers to medium density residential as an appropriate transition between higher density multi-family and lower density single family residential. Once City Council makes a decision on the zoning the concept plan serves as the guide as this project will move forward from a density stand point. There can be changes throughout the process but the final plan must be substantially similar to the approved concept plan. The proposed

41 units are primarily single-level homes configured in a combination of eight twin home buildings, seven 3-unit buildings and one 4-unit building. The streets throughout the development are all proposed to be public so maintenance of the roads and utilities will be the City's responsibility. There would be a Home Owners Association (HOA) for the maintenance of the common area. The storm water detention for the rezone area will need to be provided within the open space area at the southwest corner of the property. The detention pond will be owned and maintained by an established HOA.

Commissioner Harding asked why the HOA would not be responsible for the streets through the property. Mr. Matson said that was the choice the developer made. Bill Wright said public streets are actually preferred. The HOA will take care of the landscaping.

Commissioner Weaver asked Mr. Preston what is considered open space. Mr. Preston said the open space is everything except the footprint of the building.

Commissioner Weaver asked if the land back from the back of the houses to property line would be open space and the space between the units. Mr. Preston said yes, behind the buildings is same limited common area.

Commissioner Van Drunen asked if all the open space will be maintained by the HOA. Mr. Preston said yes.

Commissioner Van Drunen asked if Mr. Preston planned on street trees along Fairfield on the parking strips. Mr. Preston said yes.

Commissioner Harding is concerned about the PRUD overlay. Commissioner Harding discussed the code where it talks about PRUD overlays in section 19.08.130 number five. Commissioner Harding read the required findings:

Layton City Code 19.08.130

(5) Approval of a conceptual PRUD plan shall require the following findings:

(a) That the proposed development is consistent with the density standards of the General Plan

(b) That the proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the provisions of the underlying residential zoning district;

(c) That the proposed development creates no detriment to adjacent properties nor to the general area in which it is located; and that it will be in substantial harmony with the character of existing development in the area;

(f) That the application of a density bonus of up to fifty percent (50%) will be compensated by better site design and by increased amenities.

Commissioner Harding has concerns that this development will not necessarily provide a more pleasant and attractive living environment. A conventional residential development (such as an R-1-6 without the PRUD overlay) can offer the same amenities and living environment as the proposed development.

Commissioner Harding stated there is an abundance of multi-family housing to the north and to the west of the proposed development.

Commissioner Harding has concerns that the proposed development is not in substantial harmony with the character of the existing development and is not convinced that this is the best design for this piece of property.

Madam Chair Fitzpatrick said there are stricter guidelines in a PRUD which can give you a better quality project. The Commissioners continued to discuss the pros and cons of a PRUD overlay.

Councilmen Tom Day asked about counting the front yards as open space. The ordinance was changed to prevent that. Mr. Matson said if the project has individual lots then it is allowed. Bill Wright said he would be selling the units as individual units and everything around the unit except the private patio space would be in common ownership. Mr. Matson showed the Commissioners a couple of examples.

Commissioner Harding asked why there were so many products. Mr. Preston said the reason for it is the mixture in the use and units. Mr. Preston said he is not asking for any density bonus.

Commissioner Van Drunen asked what the price range was. Mr. Preston said the price range is from \$250,000 to \$350,000. The goal is to keep the density down in order to keep the prices down.

Commissioner Harding asked if there were finished basements. Mr. Preston said there were optional finished basements.

Commissioner Harding asked Mr. Preston if he ever considered putting in cottage style homes. Mr. Preston said yes but because of all the roads that are stubbed into the property, the PRUD Overlay was the best fit.

Commissioner Weaver asked how tall the two story houses were going to be. Mr. Preston said about 20 feet.

Commissioner Nilsson asked Mr. Preston about a perimeter fence for privacy. Mr. Preston said there will be fencing the way around.

Madam Chair Fitzpatrick asked that there be a letter of agreement between the City and HOA stating that below ground is the City's responsibility which is the detention basin and above ground is the HOA's responsibility.

Commissioner Hansen asked Mr. Preston if he considered a lower density. Mr. Preston said yes.

Commissioner Weaver asked if each unit will have its own tax id number. Mr. Preston said yes.

PUBLIC REVIEW

2. ALTA ESTATES SUBDIVISION – FINAL PLAT

This .58 acre property is located at approximately 2575 West Gordon Avenue. This property is zoned R-2 (Single and Two Family Residential). The applicant is Brock Johnston for Alta Homes.

Mr. Weaver said on December 3, 2009, the property was rezoned from Agriculture (A) to Residential (R-S) with an associated Development Agreement. This is a condominium plat. The applicant, Brock Johnston, intends to develop .58 acres of vacant land that has existing single family homes surrounding the property. There was a Development Agreement that was associated with the rezone on how this site needs to be developed and the plat that the applicant has brought before the Planning Commission

does match what the Development Agreement required. The City will require site, landscaping and architectural plans be submitted for City Staff review and approval. The site plan will not be coming back to the Planning Commission for review. The applicant is requesting each unit to have its own tax ID, which would be four units, and the common area would have its own tax ID and be owned by the Home Owner's Association (HOA).

Commissioner Van Drunen asked how an HOA functions with just four units. Mr. Weaver said the HOA would take care of the common area and parking spaces.

Commissioner Bodily asked if there will be any underground water detention and asked where the access will be. Mr. Weaver said there will not be any underground water detention and there will be a single access on to Gordon Street.

Commissioner Weaver said there was a concern about the height of the units and the landscaping. Mr. Weaver said there is additional landscaping on the south end to buffer the twin homes from the single family homes.

Commissioner Nilsson asked if the original zone change to R-2 proposed two different structures. Mr. Weaver said yes.

Commissioner Van Drunen asked if the number of units was spelled out in the Development Agreement. Mr. Weaver said yes the Development Agreement did not allow more than four units.

Commissioner Weaver asked if the twin homes for rent or owner occupied. Mr. Weaver said ownership was not specified in the agreement.

Commissioner Bodily asked if the applicant will have to have conditions, covenants and restrictions (CCRS). Mr. Weaver said the applicant will need to have covenants for the property.

Bill Wright said the value of approving the condominium plat this way is it promotes and allows the ownership of each unit.

Madam Chair Fitzpatrick asked what kind of landscape buffer will be along Gordon Avenue. Mr. Weaver said they are looking at what the ordinance requires with trees and other plantings, flower beds and grass.

Commissioner Nilsson asked if there was some complication on whether the property would be irrigated by Davis Weber Canal. Mr. Weaver said Davis Weber Canal can facilitate this property for secondary irrigation so they would not have to use culinary City water to irrigate.

Commissioner Nilsson asked if there were any conceptual drawings of the buildings. Mr. Weaver said no.

Commissioner Van Drunen asked if the buildings had to be consistent with the surrounding areas. Mr. Weaver said it is in the Development Agreement and those issues will be addressed as Staff does site plan reviews.

Madam Chair Fitzpatrick asked if there was a minimum size requirement. Mr. Weaver said the Development Agreement did not give a minimum size. However, the site is to have 40% landscaping and the units will have to meet the setbacks of the zone.

Commissioner Nilsson asked is the requirement for R-2 similar to the R-1-8 that is in the surrounding area. Mr. Weaver said the R-2 is a single or two family dwelling zone and they meet the easement requirements.

Madam Chair Fitzpatrick asked about a 2 car garage. Mr. Weaver said in the Development Agreement it states that no more than 60 percent of frontage can be the garage. Previous builders who have had interest in the site has planned for a two car garage.

Commissioner Nilsson asked where the garage is located. Mr. Matson said the garages will be in front of the units.

Commissioner Harding asked what the street light requirements were. Mr. Weaver said there will be a street light required in the park strip.

Commissioner Bodily asked if there was once a house on the property that was torn down. Mr. Weaver said the parcel has always been vacant.

Commissioner Hansen asked why the R-2 zone and not R-S. Mr. Weaver said because of the arterial street they had two options, one was to rezone to R-S and the other option was to rezone to R-2.

Commissioner Pilny asked what the sq footage was on each unit. Mr. Weaver said the plat shows 1470 square feet and possibly two stories.

3. GREYHAWK – FINAL PLAT

This 5.14 acre property is located at approximately 3100 North 1700 East. This property is zoned PB (Professional Office). The applicant is Mark Thayne.

On June 17, 2010, the City Council approved the preliminary plat for the Greyhawk Professional Business Park Subdivision. Four small office building pads have been constructed on the east portion of the business park. Lot two will be the future Tanner Clinic and lot three will be a dental office and lot will remain vacant for future development. The applicant will retain ownership of lot one until it is sold and developed.

Commissioner Bodily asked if the pads were individually owned. Mr. Weaver said yes and they all share the common area with the landscaping and parking.

Commissioner Harding asked when they are supposed to break ground for Tanner Clinic. Mr. Weaver said they are going to try and break ground this spring.

Commissioner Nilsson asked if there could be a restaurant added to the area. Mr. Weaver said zoning will not allow a restaurant in the subdivision.

Commissioner Bodily asked how big the building was for Tanner Clinic. Mr. Weaver said it is going to be phased and the first phase is approximately 12,000 square feet.

Commissioner Bodily asked if a particular area was all surface parking. Mr. Weaver said yes.

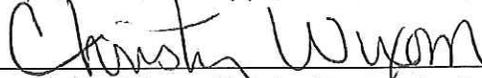
4. DR. SCOTT NEIL/SUMMIT DENTAL - PARCEL SPLIT

This 3.20 acre property is located at the southeast corner of 3200 West and Gordon Avenue. The property is zoned PB (Professional Business) and R-S (Residential –Suburban). The applicant is Scott Neil.

Mr. Matson said back in 2004 and 2005 there were two separate zone changes. One zoned about two thirds of the property and the second one was the back third. The property that sits now is all one parcel. The proposal is to create two parcels to accommodate the development of a dental office on the north parcel. The north parcel is 1.02 acres and the south parcel is 2.18 acres. The Engineering Division indicates that typical public utility and drainage easements will need to be provided in a separate deed of easement document. This easement document will be prepared and approved by the City Council before all deeds for the new parcels are recorded at the County. Both parcels meet the minimum requirements for lot size and width in both zoning districts and setbacks for future buildings on both parcels are easily accommodated under the proposed configuration.

Madam Chair Fitzpatrick asked when we approved the five homes why at that point was there not a parcel split. Mr. Matson said they did not follow through and plat the south end.

Commissioner Weaver asked if there were concerns with traffic flow. Mr. Matson said with having both access points there doesn't seem to be any problem with traffic flow.



Christy Wixom, Planning Commission Secretary

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MEMBERS ABSENT:

OTHERS PRESENT: Staff: Peter Matson, Kem Weaver, Bill Wright, Christy Wixom and Nicholas Mills

City Council Member: Tom Day

Madam Chair Fitzpatrick called the meeting to order at 7:02 p.m.

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

Madam Chair Fitzpatrick asked for a motion to open public hearing. Commissioner Van Drunen motioned to open public hearing and Commissioner Bodily seconded the motion. All in favor. Voting was unanimous.

APPROVAL OF MINUTES: Commissioner Nilsson made a motion to approve the minutes for January 12, 2016 and January 26, 2016. Commissioner Hansen seconded the motion. All in favor. Voting was unanimous.

Commissioner Van Drunen made a motion to open public hearing. Commissioner Bodily seconded the motion. All in favor. Voting was unanimous.

PUBLIC HEARING

1. WIGGILL ESTATES PRUD AND REZONE – A to R-1-6 PRUD

This 7.41 acre property is located at approximately 255 South Fairfield Road. This property is zoned A (Agriculture) and is proposed for R-1-6 PRUD (Single Family Residential – Planned Residential Unit Development) zoning. The applicant is Jerry Preston.

Mr. Matson said before the Planning Commission is Ordinance 16-12 which represents a rezone request submitted on behalf of the Tippetts Trust by the applicant Jerry Preston with Elite Craft Homes. This rezone is located in the southeast portion of the City and the 7.41 acres is located on the east side of Fairfield Road at approximately 255 South. The rezone area has frontage on Fairfield Road with stub streets connecting into the property from the north and south. The rezone parcel is located directly south of Indian Springs Subdivision and north of Estates at Mutton Hollow Subdivision. The present zoning is agriculture, which is quite common. The proposed zoning of the property is R-1-6 with a PRUD overlay. The PRUD is in the zoning ordinance Chapter 19.08 and outlines the requirements of the review and approval process including the review of a conceptual site plan at the zoning stage. If this was to move forward

there would be a preliminary plat associated with the review of this property and at that time there is much more detail provided about the actual design of the units, the landscaping of the site, and review by the City's Design Review Committee. Then there is a final plat process before any construction can begin.

This 7.41 acre property is surrounded by R-M1 and R-1-8 zoning to the north; R-1-8 and A zoning to the east; R-1-6 zoning to the south; and R-1-8 and R-2/PRUD zoning to the west. In reviewing the City's General Plan, which is the guiding document when zone change applications are submitted for review by the City. Staff looks at two things, which are the recommended land use map and also residential densities. There is also a written document that is found primarily in the Land Use Element of the City's General Plan that also has some policy guidelines that help shape the decisions on zone changes. The General Plan recommendation for this area of the city is for low density, single family residential at 3-6 units per acre (on the west side of Fairfield Road) and 2-4 units per acre (on the east side of Fairfield Road). The other factor that comes into play in looking at the written policy guidelines is the City being able to look at alternative land uses, that are different then the density range, along arterial streets. Fairfield Road is an arterial street; therefore, the impact of that roadway compared to a collector street is greater and the transitional land use such as the one proposed, is appropriate for consideration in these areas. There are also guidelines that these projects should be designed to fit in with the surrounding neighborhood. There is a policy recommendation that when a property is situated between multi-family and single family that this same type of transition uses is also an appropriate consideration for this type of location. With the RM-1 zoning to the north of this property and the single family to the south staff felt this should come to play in reviewing this item by the Planning Commissioners.

The applicant is proposing 41 dwelling units on the property and the density range of the R-1-6/PRUD zone is 5.50 to 7.70 units per acre. The conceptual PRUD plan for this rezone represents a proposal to develop a PRUD of 41 units on 7.41 acres, which is a density of 5.54 units per acre requiring a minor density bonus. The minimum open space required in an R-1-6/PRUD with attached units is 50%. The open space represented on the concept plan is 53.47%, which is 3.96 acres. The proposed 41 units are primarily single-level homes configured in a combination of eight twin home buildings, seven 3-unit buildings and one 4-unit building. The twin homes and the end units of the 3 and 4-unit buildings are large rambler homes similar to a project that Mr. Preston had completed in Kaysville.

The estimated square footage of the main level with a finished or unfinished basement is approximately 1,700 square feet. The rezone area is serviceable by utilities located in Fairfield Road and the connecting streets to the north (Indian Springs Drive) and to the south (1375 East). The Engineering Division has noted a few minor corrections, which will need to be reflected on the preliminary plan submittal if this moves forward. The streets throughout the development are all proposed to be public streets so maintenance of roads and utilities will be the City's responsibility.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to adopt Ordinance 16-12 approving the rezone request from A to R-1-6/PRUD based

on consistency with the General Plan recommendations for medium density developments as a transitional use between arterial streets and single family neighborhoods.

Commissioner Bodily said he is not sure a transition concept is necessary for this project.

Madam Chair Fitzpatrick asked if the Wiggill property, that is still in the trust on the corner, is already zoned R-M-1. Mr. Matson said yes it has been zoned R-M-1 for 20 to 30 years. That property is over an acre and under the zoning that is on that property, should it be redeveloped, is approximately 16 units to the acre.

Commissioner Pilny asked if the General Plan recommends 2-4 units per acre and this project is suppose to be R-1-6 PRUD with 5.54 units per acre, is there a minor density bonus. Mr. Matson said the 2-4 units per acre are relative to the neighborhood east of Fairfield Road down to Mutton Hollow and up to Oak Hills Drive. The difference is that given the arterial road on (Fairfield Road) the Planning Commissioner can consider a higher density.

Jerry Preston, 177 North Main Street, Farmington said he is honored to be able to develop this piece of property. There are four roads that impact this piece of property and they do not line up. This is a minor transitional area and is a great development. The idea is to get the density that is needed and have a product that is going to intermix with the community that is already there.

Commissioner Weaver said he does not see any architectural variety in the Rice Farms examples. Mr. Weaver stated he hopes Mr. Preston would do some things to make it look different. Mr. Preston said that is the intent.

Commissioner Weaver said he does not understand why there could not be fewer lots and make it an R-1-6. Mr. Preston said by doing what is proposed they can reduce the cost of the lot and keep the price of the home down.

Commissioner Weaver said with 53% of this total acreage being open space, do you plan on putting a walking trail in there or will it be just be the sidewalks on the street. Mr. Preston said they all need to be City streets but there will be the wider park strips.

Madam Chair Fitzpatrick asked if the 53% open space included the roads. Mr. Preston said the 53% does not include the roads or the park strip.

Planning Commissioners were concerned that the open space did not look like 53%.

Commissioner Pilny asked if there will be fencing to separate each of the town homes. Mr. Preston said they will share the open space.

Commissioner Hansen asked what the landscaping plans were between the development and Fairfield Road. Mr. Preston said there will be trees along the park strip and grass.

Jordon Demoux, 202 Indian Springs Drive said he was representing some of the people in the community. He said that many of the residents in the area are excited to see the property developed. Many of the residents recognize the hard work that has been put into the development plan. He asked the Commissioners if they already had an idea on what they wanted to do with this rezone request. Madam Chair Fitzpatrick said they do not have any preconceived ideas. She said they are a recommending body and they look at the specific land use and then they will make a recommendation to City Council. City Council will be the ones to make the final decision.

Mr. Demoux asked if the residents could have a little more time to process all the information before Planning Commission makes their recommendation. Madam Chair Fitzpatrick said that is possible but it will depend on the outcome of the vote. Commissioner Hansen said this is a step by step process and that tonight is just to make a recommendation on the zoning.

Mr. Demoux asked if this rezone gets approved what kind of latitude will the developer have to make changes once the plans are approved. Commissioner Van Drunen said there will not be much latitude. Mr. Matson said at this point in time there is not a Development Agreement proposed, it is all guided by the PRUD ordinance. Commissioner Bodily said if this gets approved the next step of the process will be preliminary and at that point more in-depth ideas will be discussed.

Mr. Demoux said they had three concerns: 1) Change in the nature of Creekside Elementary. He stated that Principal Birch said if the school gets too many more children they will have to bring in portables. This would change the look and feel of the community's elementary school. 2) Increased flow of traffic will also affect the current nature of the community 3) Suggested development does not seem to match Layton City General Plan. Madam Chair Fitzpatrick said this rezone could have an opposite effect on the school and does not consider these homes to be starter homes.

Mr. Demoux said his recommendation is to keep R-1-6 single family detached homes. He also asked the Planning Commission if they would consider delaying the decision on rezoning to allow the community, Planning Commission, and developer to reach an alternative which will mitigate the stated concerns. Mr. Demoux's presentations are attached with the minutes.

Commissioner Pilny asked Mr. Matson if there has been a traffic study done. Mr. Matson said there has not been a traffic study done and the capacity is there. He said if the City Engineer had a concern about the traffic flow he would have requested a traffic study to be done.

Madam Chair Fitzpatrick asked if a zoning can be done with single family in a PRUD that would still give somewhat of a density bonus but would be detached units. Mr. Matson said the R-1-6 zone has a density range that starts at 5.5 and goes up to 7.7 units per acre. If you took and made it a detached product your density would be down to 4 or 4.5 units per acre and the density bonus would not be an issue.

Commissioner Nilsson asked if a positive recommendation is forwarded to the City Council, will the meeting for City Council be on March 3, 2016? Mr. Matson said yes, that would be the soonest it would go to City Council.

Madam Chair Fitzpatrick asked Mr. Preston if he would be willing to meet with the residents before the next phase in this project. Mr. Preston said yes.

Jordon Wilcox, 1465 E Maple Way said he feels the density may have been misrepresented and would like to see a density table to see if this truly is the density that is stated. He also stated if there is no Development Agreement what is to prevent the proverbial bait and switch. He said the PRUD is not keeping within the standards of the community. Commissioner Hansen said as a review body when a development comes to the City, Staff takes that on initially and what is analyzed are the City ordinances and within the ordinances there are specific requirements.

Tarren Smoot, 322 Sweet Apricot Cove, said she had an experience living in a PRUD and the drop off and pick up time traffic for school was not good. She is also concerned about no longer having a tight community which could cause more vandalism as it did in the PRUD where she once lived.

Patricia Wiggill Tippetts, 687 Colonial Avenue, Layton said she is the oldest daughter and the personal representative of Darrell Wiggill. Mrs. Tippetts stated that this property has been in her family since 1862. She also said Elite Craft Homes builds beautiful homes and Mr. Preston takes pride in building quality communities. She also stated that Mr. Wiggill did intend to develop on the property when the time was right.

Kelly Wilcox, 1465 E. Maple Way said she does not agree with the PRUD and would like to see single family homes. She would also like to see a park on the east side of Fairfield Road. Madam Chair Fitzpatrick said there is going to be an eight acre park northeast of the Estates at Mutton Hollow subdivision.

Jason Sorensen, 1368 E. 275 S. Layton, said he is not opposed to the property being developed but his concern is more for the zoning of the property. He feels the R-1-6 PRUD does not fit with the surrounding developments.

Megan Webb, 465 S. 1300 E., Layton, asked if there was something stopping them from becoming rentals. Mr. Mills, City Attorney said his understanding is they were going to be sold individually and so the market would drive that. They are owner occupied so anybody who owns their home could have the home as a rental. The plan is to sell the homes as single family homes and give each one an individual tax id number.

Trent Servoss, 1317 E. 275 S. said that to his knowledge Mr. Wiggill did not intend to develop on the property at all.

Kim Demoux, 202 Indian Springs Drive said she is thrilled about the development but not for the PRUD. She would love to see single family detached homes or a retirement community.

Madam Chair Fitzpatrick brought the agenda item back to the Planning Commission for a motion.

Commissioner Weaver said the General Plan gives us good direction and flexibility in what can be done. He said he does not see a need for a transition property at this location. The flow within the neighborhood does not need a PRUD. A PRUD in this location would not satisfy a substantial harmony that we as individuals want to see. He feels a PRUD would impair the substantial harmony.

Commissioner Weaver made a motion on Ordinance 16-12, rezone request from A to R-1-6 PRUD to recommend to City Council to not approve the rezone at this time. Commissioner Bodily seconded the motion. The Planning Commissioners who voted in favor of the motion were Commissioner Bodily and Commissioner Weaver. Commissioners who opposed the motion were Commissioner Hansen, Commissioner Nilsson, Commissioner Van Drunen, and Commissioner Pilny. The first motion failed.

Madam Chair Fitzpatrick opened for another motion. Commissioner Hansen said as long as property owners meet the ordinances of Layton City they have the right to develop on their property. Commissioner Hansen made a motion that they forward a positive recommendation to City Council for Ordinance 16-12 approving the rezone request from A to R-1-6 PRUD based on the consistency with the General Plan and the support and follow up of City Staff to ensure that the development as it unfolds meets the ordinances of the City. Commissioner Van Drunen seconded the motion. Those in favor were Commissioner Hansen, Commissioner Nilsson, Commissioner Van Drunen, and Commissioner Pilny. Those opposed were Commissioner Weaver and Commissioner Bodily. Voting was 4 to 2.

Commissioner Weaver made a motion to close public hearing and open public review. Commissioner Pilny seconded the motion. All in favor. Voting was unanimous.

PUBLIC REVIEW

2. ALTA ESTATES SUBDIVISION – FINAL PLAT

This .58 acre property is located at approximately 2575 West Gordon Avenue. This property is zoned

R-2 (Single and Two Family Residential). The applicant is Brock Johnston for Alta Homes.

Mr. Weaver said the applicant, Brock Johnston, is requesting an ownership or condominium plat review and approval for property that is located north of the Swan Meadows subdivision on Gordon Avenue. The applicant intends to develop .58 acres of vacant land that has existing single family homes surrounding the property. To the west, south and east are R-S zoned single family lots and to the north are R-1-8 zoned single family lots.

On December 3, 2009, the City Council approved the rezone of the .58 acres from Agriculture (A) to single and two family Residential (R-2). An associated Development Agreement was approved with the rezone to ensure the twin home development did not create a negative impact on the surrounding single family homes. The Agreement addresses the limitation of

four dwelling units or two twin homes, 40% minimum landscaping and installing a six-foot solid earth tone color vinyl fence on the side and rear property lines. In addition, an open space/landscaping plan is to be submitted for City Staff review with an emphasis on planting conifer trees along the south property line to enhance the buffer for the homes to the south. Architectural building plans need to be similar to that of the single family home that surround this property to the south.

The City will require site, landscaping and architectural plans be submitted for City Staff review and approval. The site plan will not be coming back to the Planning Commission for review. However, because the applicant is requesting each unit to have separate ownership once the site is developed, a plat is required to be recorded after review by the Planning Commission and approval by the City Council.

Staff's recommendation to the Planning Commission is to forward a positive recommendation to the City Council to approve the Alta Estates Subdivision final plat subject to meeting all Staff requirements as outlined in Staff memorandums.

Commissioner Van Drunen asked if there were any concerns from the neighbors. Mr. Weaver said not for the request for the plat. When the rezone came through there were two or were a few people that raised a concern and because of their concerns items were added to the Development Agreement.

Madam Chair Fitzpatrick asked if there were any changes in the way the homes will look. Mr. Weaver said he has not seen any design yet for the units but there should not be any changes. Staff will ensure they have the same quality and design as the single family units.

Commissioner Nilsson wanted more of an explanation on the development and the concerns of the residents. Commissioner Weaver said the concern the residents had was being able to see the development outside their home and staff has ensured there will be enough landscaping put in so that the residents will have some privacy.

Commissioner Bodily made a motion to forward a positive recommendation to the City Council to approve the final plat as outlined in the memos. Commissioner Van Drunen seconded the motion. All in favor. Voting was unanimous.

3. GREYHAWK PROFESSIONAL BUSINESS PARK SUBDIVISION – FINAL PLAT

This 5.14 acre property is located at approximately 3100 North 1700 East. This property is zoned PB (Professional Office). The applicant is Mark Thayne.

Mr. Weaver said the PB zoning is appropriate with the type of development that has currently occurred. Four small office buildings on pads have been constructed on the east portion of the business park as was proposed in the preliminary plat. Common areas surround the four small office buildings for parking and landscaping. The configuration has changed with the remaining vacant ground of the business park. Tanner Clinic is proposing to build a small clinic facility on Lot 2. Lot 3 is proposed to be a future dental office and Lot 1 is yet to be determined for future development. This will be the final configuration for the business park. Lot 1 will be .47 acres

in size for future development. Lot 2 will be 2.15 acres for the clinic, and Lot 3 will be .90 acres for the dental office. The remaining lot will include the four small office buildings and common areas and will be 1.47 acres. The final plat consists of 4.99 acres. All lots meet the area requirements of the PB zone. Cross access easements will be recorded with the plat to facilitate two access points from 3100 North.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the final plat for Greyhawk Professional Business Park Subdivision subject to meeting all Staff requirements as explained in Staff memorandums

Madam Chair Fitzpatrick asked if the plat included the little section of 1700 East Street. Mr. Weaver said the street has not been dedicated to the City and therefore is included as part of the plat.

Commissioner Van Drunen made a motion to forward a positive recommendation to the City Council to approve the plat for Greyhawk Professional Business Park Subdivision subject to meeting all staff requirements as explained in staff memorandums. Commissioner Pilney seconded the motion. All in favor. Voting was Unanimous.

4. DR. SCOTT NEIL/SUMMIT DENTAL - PARCEL SPLIT

This 3.20 acre property is located at the southeast corner of 3200 West and Gordon Avenue. The property is zoned PB (Professional Office) and R-S (Residential –Suburban). The applicant is Scott Neil.

Mr. Matson said the property is situated in two different zoning districts which match the boundaries of the two proposed lots. The property proposed for parcel split is a total of 3.20 acres. The proposal is to create two parcels to accommodate the development of a dental office on the north parcel. The north parcel, which is located at the southeast corner of Gordon Avenue and 3200 West, is 1.02 acres. The south parcel, which is 248 feet south of Gordon Avenue, is 2.18 acres. Both parcels meet the minimum requirements for lot size and width in both zoning districts and setbacks for future buildings on both parcels are easily accommodated under the proposed configuration. The main purpose of the parcel split is to separate the north parcel on its own lot to match the zoning district boundary and to accommodate future development of a dental office building.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the parcel split based on consistency with the lot area and setback requirements of the PB and R-S zones.

Commissioner Bodily asked what the plan is for the R-S parcel. Dr. Scott Neil said there is no plan.

Commissioner Nilsson made a motion regarding the property located on the southeast corner of Gordon Avenue and 3200 West to forward a positive recommendation to the City Council to approve the parcel split based on the consistency of the lot area and setbacks required in the

two zoning area being PB and R-S. Commissioner Van Drunen seconded the motion. All in favor. Voting was unanimous.

Commissioner Van Drunen made a motion to close public review and adjourn. Commissioner Bodily seconded the motion. All in favor. Voting was unanimous.

Meeting adjourned: 8:56 p.m.



A handwritten signature in cursive script that reads "Christy Wixom". The signature is written in black ink and is positioned above a horizontal line.

Christy Wixom, Planning Commission Secretary

(Please see other side)

Wiggill Property

Introduction

- Many residents in the area are excited to see the property developed
- We recognize the hard work that has been put into the development plan
- We also recognize that the developer has a reputation of building quality homes
- As with most change we are apprehensive about the unknown and would like to have a discussion about the plans and their effect on the community

Why we are here

- To better understand what is planned for the development
- To express some concerns
- To seek an alternative that is a win for the the community, the city and the developer

Questions

- Can we have some more time before you make a decision? It would be helpful to have a few days to process the information after meeting with the council
- How much flexibility will the developer have to make changes once the plans are approved?
- In the past, neighbors in our community have incurred personal expenses due to construction near their homes. What assurances are in place to help avoid such a situation?

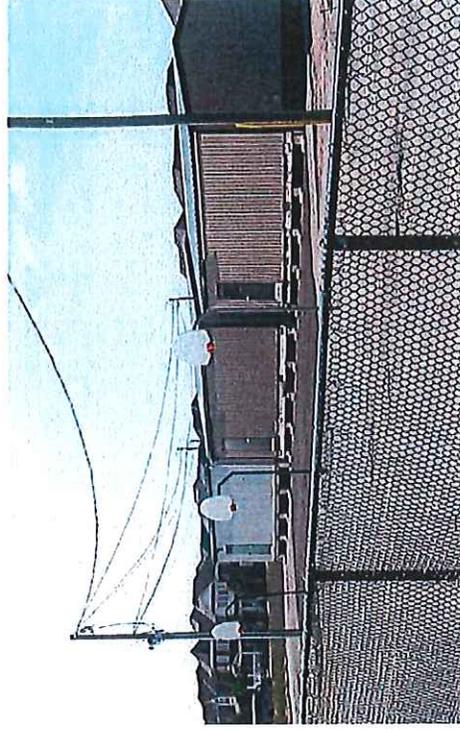
Questions

- How big will the homes be that the developer is proposing?
- How much will they sell for?
- What kind of materials will be used?
- Can the homes be sold/used as rental properties?
- Will there be an HOA and what are its conditions/rules?

Concerns

1. Change in the nature of Creekside Elementary
2. Increased flow of traffic will also affect the current nature of the community
3. Suggested development does not seem to match Layton City General Plan

1: Change in Nature of Creekside



Principal Birch said in a recent community council meeting, if the school gets too many more children they will most likely need to bring in portables to house all of the students. This would change the look and feel of our community's elementary school.

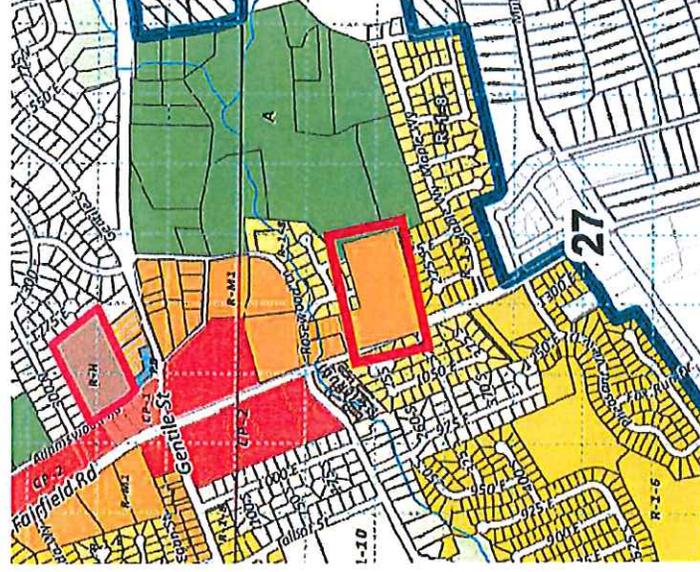
2: Increased traffic

- We recognize the streets are made to handle additional traffic.
- However, so many additional units would increase the flow of traffic in the community changing the look and feel to be more commercial than residential.



3: Does not meet Layton City General Plan

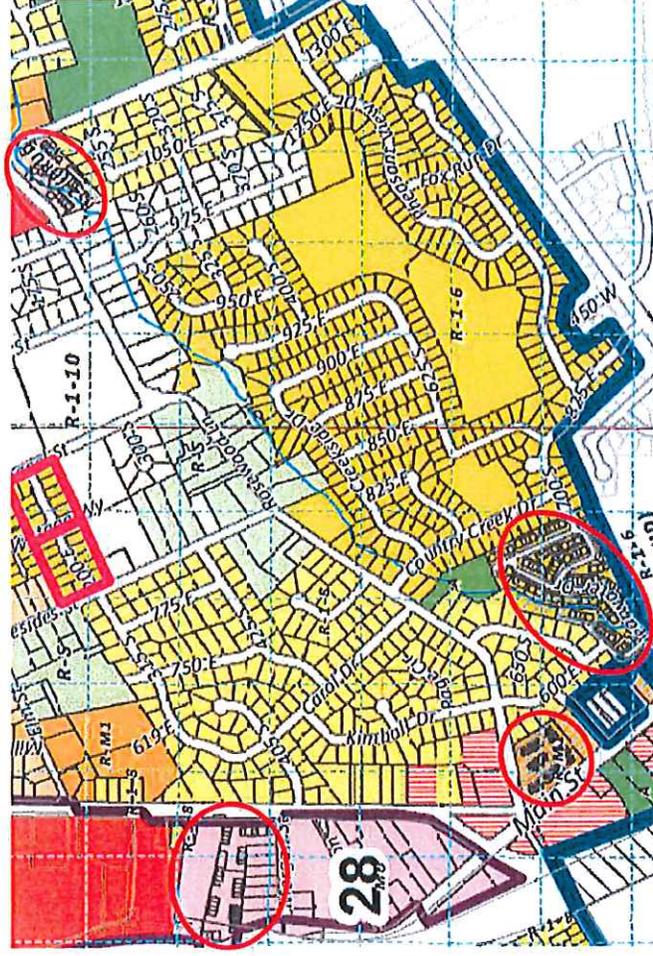
- Currently all homes directly north, south, east, and west of the property are single-family detached homes in R-1-6 or R-1-8 zones.
- Constructing duplexes, triplexes, and fourplexes in between Indian Springs and Fairfield Meadows would disrupt the nature of the existing community.



3: Change in nature of current Community

Layton City General Plan Suggests:

- Lots east of Fairfield be 10,000 square feet.
- Multi-family dwellings be “located at the fringe of neighborhoods.”
 - For example:
 - Attached homes on the corner of Rosewood and Main
 - Twin Trees on Fort Lane
 - Holmes Creek Condos on Fairfield and Rosewood Lane
 - Condominiums west of Country Creek Drive



Request

- Delay the decision on rezoning to allow the community, planning council/city, and developer to reach an alternative which will mitigate the stated concerns.