

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
JUNE 14, 2016

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

MEMBERS ABSENT: Brian Bodily

OTHERS PRESENT: Staff: Mayor Bob Stevenson, Peter Matson, Christy Wixom, Weston Applonie, and Nicholas Mills

City Council Member: Bruce Davis

Madam Chair Fitzpatrick welcomed Commissioner Petroff from the County Commission.

Commissioner Weaver asked Mr. Matson if there was an official declaration on the moratorium or high density housing. Mr. Matson said it was a resolution putting the public and development community on notice that the Council wanted to study the issue and get an idea on where our inventory is at based on the 1000 units that were built between 2009 and 2012. The resolution said that for the foreseeable future that targeted high density multi-family housing should be focused in the downtown area. The Mayor and Council stated in a previous meeting that they are still concerned about the high density, stacked unit projects. Staff has expressed this concern to the development community. Townhomes are considered medium density.

PUBLIC HEARING

1. AMENDMENT TO TITLE 19 (ZONING), SECTION 19.06.230 – WASTE TRANSFER STATION – ORDINANCE 16-13

Establishing regulations for a waste transfer station in the manufacturing zoning districts.

Mr. Matson said City Staff met with Nathan Rich, Director of the Wasatch Integrated Waste Management District, to discuss the long range plans for the Landfill and the Davis Energy Recovery Facility (Burn Plant). Staff thought it would be good to add the traffic study requirement even though the ordinance allows the City Engineer to require a traffic study when the need arises to add it as a definite must.

Commissioner Pilny asked when the traffic study would be completed. Mr. Matson said when they make application for the use.

Mr. Matson said the first part of the ordinance proposes to add a definition for waste transfer station. In chapter 2 of the zoning ordinance, the definition of a waste transfer station is meant to target the placement of the refuse and vehicles to be transferred off site to another location typically outside of the area. This does not mean that it couldn't go to the landfill itself if it is by the burn plant, which is what the ordinance would require. Also, in the definition, Staff thought it would be good to not have it specific to the waste transfer station only, but could also include

any other processes that are typical with that type of facility particularly the processing and sorting of recycled materials and distributing those to the Energy Recovery Facility.

Commissioner Weaver asked what is considered solid waste. Commissioner Petroff said the stuff that is picked up in the cans by the trucks in front of your houses. That is what goes to the burn plant and would go to the transfer station.

Commissioner Van Drunen asked if it would have to be either in a M-1 or M-2 zone. Mr. Matson said yes.

Mr. Van Drunen said there would have to be a rezone when that day comes. Mr. Matson said the reason they went M-1 or M-2 is because over time this area will be a manufacturing zoning district.

Commissioner Van Drunen asked what happens if they want to build in the landfill area. Mr. Matson said the City Staff felt strongly that the facility should be located in a specific area so that it is within the City boundaries.

Commissioner Van Drunen asked if they could put the waste transfer station next to residential. Mr. Matson said they could and they would be regulated by the County.

Commissioner Harding asked if they could annex in property and why you would not want it next to the landfill. Mayor Bob Stevenson said the landfill could be closed in 20 years and when it is closed the whole process will come to an end.

Commissioner Petroff said the burn plant is becoming more efficient and they are able to move more productivity through the burn plant. He said it is much more convenient for the traffic to come out of Fairfield Road than it would be to go up through the landfill.

Mr. Matson said the other parts of the ordinance are straight forward and the second section is chapter 19.06, Tables 6-1 and 6-2, which is a table of land uses and related to the various zoning districts and whether a use is not permitted which is a blank space in the table, a conditional use or a permitted use. Tables 6-2 includes the non residential zoning district and the proposal for the waste transfer station is listed as a permitted use in the M-1 and M-2 zone. In chapter 19.06 it is proposed that 19.06.230 be added at the end of the chapter regarding the waste transfer stations. This part of the chapter refers to the waste transfer station to be located on the property directly east to the energy recovery facility, which should be operated within a fully enclosed building. The site should be encompassed by a solid six foot view obstructing fence and Staff may require additional landscaping of trees depending on where that facility is situated on the property relative to the residential areas particularly across the street on the east side of Fairfield Road. Subsection six refers to the Utah Administrative Code and section R13.313.2 is about transfer station standards. This same section of the Utah Administrative Code requires that for any transfer station facility a plan of operation is submitted to the State Director over Division of Environmental Quality (DEQ) for approval prior to construction and every year a report has to be submitted that shows how they meet the requirements.

Madam Chair Fitzpatrick said on the fencing if the state requires an additional 50 foot buffer does it need to be a noise obstructing wall. Mr. Matson said the State requirement says there needs to be an adequate buffer zone around the active area to minimize noise and dust nuisances in a buffer zone 50 feet from the active area to the nearest property line in areas zoned residential.

Commissioner Van Drunen said the burn plan runs 24 hours but wanted to know if the traffic runs 24 hours. Mr. Matson said they operate during business hours.

Commissioner Petroff stated that this was a clean operation but felt the fencing could be distracting.

Madam Chair Fitzpatrick stated that for security purposes there needs to be a fence.

Commissioner Nilsson asked if there was a need in the future for a means of rail to dispose instead of the use of trucks. Commissioner Petroff said originally the Ogden site was rail and the railroad wanted nothing to do with it. They could not get enough railroad carts in there because they wouldn't haul them off. So they were hauling everything off to the big landfill down by Green River by train so they changed it having Waste Management haul everything off to Tooele.

Mayor Bob Stevenson said the idea is to get rid of the garbage as quick as you can and the trucks were the quickest way to dispose of garbage in a timely manner.

Commissioner Hansen asked if there was any specificity to how the wall was supposed to be. Mr. Matson said the wall needs to be six foot view obstructing fence. Mr. Hansen said there should be some specificity regarding the fence.

Commissioner Nilsson asked how long will there be a need to have this facility. Commissioner Petroff said they feel it will be a long time before they will have to deal with the landfill.

Commissioner Nilsson said if we are looking at 15 to 20 years down the road the options for fencing may completely change so as long as we address the fencing issue now the ordinance should be efficient enough down the road.

Commissioner Van Drunen asked if there should be the word "or" added to the ordinance in regards to landscaping. Mr. Matson said the word "or" could be added to the ordinance.

Madam Chair Fitzpatrick asked if there has been any discussion on widening the area in order to keep it open longer. Commissioner Petroff said if the burn plant were to go away today than they would look at widening the area sooner.

Mayor Bob Stevenson said they are in the process of possibly purchasing a landfill down in Utah County which has 500 acres that will most likely be a land fill used by Weber County, Davis County, Morgan County and a few other counties. The purpose of doing that is if something

happens then you have somewhere to take the garbage. The second thing is we do not want to have transfer stations all over the place. This will allow us to control the areas we do have and make them look nice.

Commissioner Hansen asked what feedback have we received from Hill Air Force Base. Mr. Matson said they have not talked with anyone from Hill Air Force Base. City Staff would review the proposal based on their guidelines and compatibility standards and also the State owns the easement and outlines the same standards particularly having to do with noise mitigation.

Commissioner Harding asked if there was any feedback from the public. Mr. Matson said when the ordinance is adopted there will be a public hearing.

2. SUN RIVER TOWNHOMES PRUD REZONE AND CONCEPT PLAN – A to R-M1 PRUD

This 6.07 acre property is located at 2187 North Hill Field Road. This property is zoned A (Agricultural) and is proposed for R-M1 PRUD (Low/Medium Density Residential – Planned Residential Unit Development) zoning. The applicant is John Shepherd.

Mr. Matson said the recommendation has a subject relative to the onsite storm water detention issue. The City Engineer Engineer said that she did not have an opportunity to look at the redesign. Relative to that issue, this will need to be solved before a recommendation to City Council can be obtained.

There are over six acres on the west side of Hill Field Road. There is a earth tone vinyl fence along the frontage just south of Beyond Spa. The R-M1/PRUD zone has a density range of 14 to 19.60 units per acres with a base open space requirement of 30%. The proposed 87 units are on 6.07 acres, which is a density of 14.33 units per acre. They are proposing one main entrance off of Hill field Road with a series of side streets and a secondary access out to 2275 North. The Fire Department needs a second access into this many units and UDOT is very stingy about additional access points onto the state road. Part of the negotiations over the last several months has been regarding that access point which is proposed over City owned property off the edge of a detention basin. The idea has been in coordination with the Parks and Recreation Department in exchange for the ground to construct this access that will line up with 550 West to the north. The City engineering division has asked that the detention capacity that is in the basin be transferred onto the site and the City's Parks and Recreation department would work on a trailhead design for this property so that can act as a trail head with an access point down to the canal trail corridor. The trail head is also a priority in the parks plan. The developer is looking at three-story townhomes typically in a five unit configuration. These are two car garage units projected to be owner occupied.

Commissioner Van Drunen asked what the height requirement was. Mr. Matson said in the RM-1 zone its 35 feet.

Mr. Matson said there are a series of guest parking stalls distributed throughout the project. The idea with some of the stalls is to overlap with the property so that until the trail head can be developed, the walkway would construct along the edge of the parking stalls to give the access into the property and the trail corridor. There is a lot of restriction on what can be done

in the corridor, which includes road services and landscaping only. One of the options that were presented was actually doing a retaining structure and another retaining wall to get more capacity out of the pond. If this does not work, the other option is to lose some units, which will have to be figured out by the engineers on how this can be done. Until the applicant can provide a good explanation on moving forward and Staff gets an approved memo from the City's engineering department, this will probably be continued to the next meeting but the Commission should accept public comment. This use of property meets the City's general plan.

Commissioner Van Drunen asked if the Commissioners will see the site plan and will it go through the design review committee. Mr. Matson said this is the conceptual plan so the council will have to review and approve this conceptual and then it would come back to Planning Commissioners and City Council for preliminary and final review. During Preliminary is when the design review committee will go over the details of the architecture, the amenities, and the trail and start to layout the density bonus stipulations.

Commissioner Harding asked if the Commissioners needed to review the architectural design. Mr. Matson said no not at this time.

Commissioner Van Drunen asked what the buffer zone was on the west side. Mr. Matson said it is 20 feet and 35 feet in height.

Commissioner Harding stated that Hill Field Road is very difficult to turn left or right. Will there be a traffic study done on Hill Field Road? Mr. Matson said they are redoing Hill Field with the concrete surface and the utilities. Hill Field Road will still be striped with a center turn lane.

Commissioner Nilsson said he likes the idea of an overhead pedestrian crossing on the eastern side.

Commissioner Nilsson asked if the detention basin that exists behind Beyond Spa is there for a reason. Mr. Matson said yes. Commissioner Nilsson also wanted to know if they will take piping from the water gathering and brings it into the lower basin and is fed by the eastern portion and other surrounding areas. Mr. Matson said he is not sure.

Commissioner Nilsson said his concern towards the south and the apartment complexes is the water and the capacity. Mr. Matson said to meet City standards it can only be so deep for that type of pond plus it serves as an open space feature so you can't get it too deep as it will serve as a danger. Mr. Matson said there is a three foot retaining wall on the southeast side of the pond.

Madam Chair Fitzpatrick asked what the depth of the roads that feed into the five plexuses. Mr. Matson said the depth of the roads has been reviewed and are at the maximum depth and if you went any further there would be an issue with the fire turnaround.

Commissioner Weaver asked about the buffer along Hill Field Road. Mr. Matson said it is quite deep and is meant to make a nice statement along Hill Field Road.

Commissioner Weaver asked if there will be landscape required on the west buffer and the guest parking stalls. Mr. Matson said yes on the west buffer and if we want the walkway to be installed and a few extra stalls in the mean time there would need to be an exception to that buffer.

Commissioner Nilsson asked how they deal with the path in the roadside on the western side. Mr. Matson said there is an easement so you have to take what there is available.

Madam Chair Fitzpatrick asked where they will do the gates. Mr. Matson said it is a private road and that is a detail they will have to work out during preliminary.

Commissioner Weaver asked what the square footage of the units was. Mr. Mueller, one of the applicants, said it will be around 2000 square feet above grade with no basements.

Madam Chair Fitzpatrick asked if there were any other amenities other than the trail. Mr. Mueller said adjacent to the trail there will be a community garden area and a few other items but are not suppose to have any trees.

Commissioner Nilsson said this is a PRUD establishing CCR's and wanted to know if there was a clarification or path maintenance or is that a city responsibility. Mr. Mueller said the HOA will be responsible for the City path. Mr. Mueller said they can incorporate the trail maintenance in the CCR's to determine who will be responsible for maintaining.

Commissioner Harding asked what the price points of the units were. Mr. Mueller said they will start at \$229,000 and will go up to \$250,000 to \$260,000.

3. TROY AND PATRICIA CHILD REZONE – A to R-S

This 0.60 acre property is located at 2599 West Gentile Street. This property is zoned A (Agricultural) and is proposed for R-S (Residential Suburban) zoning. The applicant's are Troy S. and Patricia Child.

Mr. Matson said will go over this during the regular meeting.

Commissioner Nilsson said the home on the Gentile property seems to be vacant. Mr. Child said it is currently vacant until the renovations are done and then they will be occupying the home.

Commissioner Nilsson asked if there was a bigger master plan. Mr. Child said there is a possibility of doing a small addition on the back.

4. BARLOW/OVATION HOMES REZONE, DEVELOPMENT AGREEMENT AND CONCEPTUAL PLAT (COTTAGES AT VALLEY VIEW PHASE 2) – A to P-B, R-1-6 and R-1-10

This 21.87 acre property is located at 2100 East Gordon Avenue. This property is currently zoned A (Agricultural) and is proposed for 6.30 acres of PB (Professional Office) zoning, 10.56 acres of R-1-6 (Single Family Residential) zoning and 5.01 acres of R-1-10 (Single Family

Residential) zoning. The applicant is Norm and Brad Frost of Ovation Homes representing Duncan Barlow of Service Mortgage Corporation.

Mr. Matson said approximately one year ago the Planning Commission reviewed and recommended approval of a development agreement and rezone for this area. Shortly after the Commission's review, it was determined that the sensitive lands review process was required for this property. The north portion did not fall into the sensitive lands area that is primarily flat. With the rezone area located along the future extension of the Gordon Avenue corridor, it is necessary to outline the various utility, access and street connection issues associated with development along this future arterial street. Over the last year with the geotechnical reports they worked on a conceptual subdivision plat. The development agreement covers the overall acreage, a rezone request to PB, R-1-6 and R-1-10. Gordon Avenue presently ends at the east side of Andy Adams Park. On the side of Highway 89 there is a future proposed interchange for Gordon Avenue as it is extended and connects to Highway 89. There are six acres for the PB zone, which is for an assisted living facility. For the R-1-6 there are just less than 11 acres and five acres for the 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-1-10 zone, and R-1-6 zone with an appropriate density restriction, is consistent with this recommendation. The PB zoning is proposed to accommodate an assisted living facility on the south side, and adjacent to Gordon Avenue. The General Plan recommends PB zoning as an appropriate alternative bordering arterial streets. A year ago Brad and Norm Frost organized and held three separate open houses to provide information to residents of the surround neighborhoods. The 6.3 acres has a two story assisted living facility with approximately 70 units. Mr. Frost said this is a high end assisted living facility. Commissioner Weaver asked if Mr. Frost planned on retaining the ownership and managing the operation. Mr. Frost said yes they have also done this in California.

Commissioner Van Drunen asked if they had heard anything from the neighbors. Mr. Matson said some of the folks were concerned about the location of the Gordon Avenue corridor and its elevation. The residents met with our City Engineer, Woody Woodruff, and expressed their concerns about the road and Mr. Woodruff marked the area of concern. Mr. Matson said that Gordon Avenue is an 80 foot right-of-way. After corresponding between GSH and Golder Associates, Golder Associates' final recommendations for platting of the rezone area includes: a drain system for groundwater and irrigation runoff, a minimum 20 foot setback from the crest of the slope for habitable structures, and no structures are to be located in the mapped landslide scap areas. The engineering memo referenced that lots 47, 48, and 49 have a section of the scarf going in. The City Engineer is asking that an addendum to the geotech report be submitted relative to lots 47, 48, 49, and lot 35 for the preliminary plat. Mr. Matson discussed the development agreement. The trail section that will run on the south section of Gordon Avenue specked that at 12 and only needs to be 10 which will be clarified in the preliminary review.

Commissioner Weaver asked what portion of expense the developer will be responsible for regarding the trail. Mr. Matson said the developer will construct a portion where they are

developing on both sides of the road but the overage is above a 58 foot right-of-way and will be covered in a payback agreement for both the land and the construction costs.

Commissioner Weaver asked if the City will pay back the developer. Mr. Matson said yes for just the overage. On the east side the City is asking for the dedication and a rough grade and the City will build the other portion with the developer building the south portion of the R-1-10.

Commissioner Weaver asked if the contractor has the south curb and gutter portion. Mr. Matson said yes on the R-1-10 and R-1-6. Mr. Frost said they are doing the trail on the side of R-1-6.

Commissioner Weaver asked who is responsible for the south section of the road. Mr. Frost said they are putting a trail on the south side of the easement. The developer is doing both sides up to 58 feet.

Commissioner Van Drunen asked who maintains the rough grade. Mr. Matson said the City will maintain the rough grade.

Commissioner Weaver asked if the City was going to pay through Gordon Avenue to the R-1-6 and the developer will do the trail. Mr. Matson said yes.

Commissioner Harding asked if the sensitive land study stated the needs for a geotech on site during construction. Mr. Matson said they have not discussed that detail as of yet. When they go through preliminary they may determine that on certain portions on site might be necessary.

Commissioner Harding asked if each of the property units will have land drains. Mr. Matson said yes.

Commissioner Weaver asked about the fire turnaround on the R-1-10 all the way to the east end of Gordon. Mr. Matson said it connects to an existing road and will not need a cul-de-sac.

Madam Chair Fitzpatrick asked if the lot in the triangle piece in the R-1-10 large enough to have a hammerhead or circular driveway. Mr. Matson said there is an exception to the front yard setback where you can get a five foot reduction so they will have to take a look at that and see if it is possible.

Madam Chair Fitzpatrick asked if it has to be 100 feet to get the circular driveway. Mr. Matson said yes.

Madam Chair Fitzpatrick asked how wide the driveways were. Mr. Matson said not sure of exact measurements but know they are pretty wide.

Commissioner Weaver asked what is planned for parcel C. Mr. Frost said doing additional studies for additional lots.

PUBLIC REVIEW

5. **VASA ATHLETIC/FITNESS CENTER – CONDITIONAL USE**

This property is located at 2010 N. Main Street in a C-H (Planned Highway Commercial) zoning district. The applicant is Hawkins Development.

There was no discussion on this agenda item.



Christy Wixom, Planning Commission Secretary

(Please see other side)

LAYTON CITY PLANNING COMMISSION MEETING MINUTES
JUNE 14, 2016

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

MEMBER ABSENT: Brian Bodily

OTHERS PRESENT: Staff: Peter Matson, Weston Applonie, Nicholas Mills, Mayor Bob Stevenson and Christy Wixom

City Council Member: Bruce Davis

Madam Chair Fitzpatrick called the meeting to order at 7:04 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 Hansen seconded the motion. All in favor. Voting was unanimous.

Commissioner Pilny made a motion to approve the minutes for April 26, 2016, May 10, 2016, and May 24, 2016. Commissioner Weaver seconded the motion. All in favor. Voting was unanimous.

PUBLIC HEARING

- 1. AMENDMENT TO TITLE 19 (ZONING), SECTION 19.06.230 – WASTE TRANSFER STATION – ORDINANCE 16-13**
Establishing regulations for a waste transfer station in the manufacturing zoning districts.

Mr. Matson said Amendment to Title 19, Section 19.02.020 (Definitions), Section 19.06.010 Tables 6-1/6-2 (Table of Land Use Regulations), and Section 19.06.230 (Waste Transfer Station) of the Layton Municipal Code by Establishing Regulations for Development and Operation of a Waste Transfer Station in the M-1 or M-2 zone – Ordinance 16-13

City Staff recently met with Nathan Rich, Director of the Wasatch Integrated Waste Management District, to discuss the long range plans for the Davis Landfill and the Davis Energy Recovery Facility (Burn Plant). Part of the discussion with Mr. Rich focused on the potential long term need to construct a waste transfer station. In response to this discussion, City Staff prepared draft language for a zoning ordinance amendment to provide a definition for a “waste transfer station”, provide for appropriate zoning districts where this use would be appropriate, and to provide a set of criteria to be incorporated into the approval of a waste transfer station. Mr. Rich provided comments and input on the draft language, which have been incorporated into Ordinance 16-13. The following criteria include: 1) One waste transfer station is allowed to be established in Layton City, which shall be operated by a public entity, and shall be located on property contiguous to the existing Davis Energy Recovery Facility operated by the Wasatch Integrated Waste Management District. 2) All solid waste management activities associated with the waste transfer station shall be operated within a fully enclosed building. 3) The site on which the waste transfer station is located shall be enclosed by a minimum six-foot perimeter, view-obstructing fence. In the work meeting it was discussed to change item three to shay may instead of shall and possibly coordinating a fence with landscaping based on a plan that would be submitted with the site plan review. 4) Development of the site shall take into account effective means to control the harborage of rodent, insects and birds on the site based on appropriate industry standards. 5) Development of the site shall incorporate appropriate pollution control measures to protect surface and ground waters through the use of State and City approved run-off collection and treatment systems. 6) The waste transfer station shall operate consistent with the rules and regulations of Utah Administrative Code (UAC) R315-313-2 entitled “Transfer Station Standards”. 7) The waste transfer station proposed within any of the Layton City Drinking Water Protection Zones shall comply with the regulations for

potential contamination sources outlined in Chapter 19.20 of the Title. 8) If the waste transfer station is proposed within the Air Installation Compatible Use Zones (AICUZ) or Accident Potential Zone (APZ) of Hill Air Force Base (HAFB), the building and site shall be subject to the HAFB land use compatibility guidelines for noise zones and/or the APZ and any associated perpetual land use easement owned by the State of Utah. 9) Scavenging on the site shall be prohibited. 10) A traffic impact study prepared by a registered traffic engineer shall be required. The traffic study shall include an analysis of on-site circulation, capacities of existing streets, number of additional trips which will be generated, origin/destination studies, and peak home traffic generation and movements.

Staff recommends the Planning Commission forward a positive recommendation to the Council to adopt Ordinance 16-13 amending Title 19, Section 19.02.020 (Definitions), Section 19.06.010 Tables 6-1/6-2 (Table of Land Use Regulations), and Section 19.06.230 of the Layton Municipal Code by establishing regulations for development and operation of a waste transfer station in the M-1 or M-2 zone.

Commissioner Harding asked what measures are going to be taken to prevent scavenging on site. Mr. Matson said the fencing will help out and people will not be allowed to go and pick through any of the garbage that is left there to be transported. Being in a closed building may be redundant, but this will have to be addressd this either with the closed building or the fencing of the property.

Madam Chair Fitzpatrick said along the public street it would be illegal to solicit the garbage being taken to the dump. Mr. Matson said yes. Nicholas Mills, Attorney, stated that scavenging is illegal and can be enforced criminally as well.

Larry Jenkins, Council for Wasatch Integrated Waste Management District, 50 E. South Temple, Salt Lake City, asked what the final definition of waste transfer station was. Mr. Matson said they did not adjust the definition based on the original one. Mr. Jenkins said that Mr. Crane was okay with changing the definition to say shall mean a site the primary purpose is to store or hold solid waste for transfer port to a processing or disposal facility, a waste transfer station may also include solid waste management facility is defined by Utah code. He stated that Mr. Rich was ok with changing the ordinance as long as definition was changed. Mr. Matson said he never received the changes. Mr. Matson said it was requested to leave the definition as is. Mr. Nicholas Mills, Attorney, said Mr. Crane did speak with Mr. Rich extensively and Mr. Rich was in agreement with this definition after talking with Mr. Crane as it sits in the proposed ordinance.

Commissioner Nilsson said if a motion is to approve the waste transfer station then they should add pending clarification of definition since Mr. Crane and Mr. Rich are not at the meeting.

Commissioner Hansen made a motion that the Planning Commission forwards a positive recommendation to City Council to adopt ordinance 16-13 which would amend title 19 section 19.02.020 the definition section, section 19.06.010 which is the table section and section 19.06.230 of the Layton Municipal Code by establishing regulations for development and regulations. A recommendation would also entail an agreed upon clarification between the City and Wasatch Integrated on what a waste transfer station definition should be. Also included in the motion that 19.06.230 item number three regarding how the facility will be buffered, whether by fence, wall, or landscaping or the combination of them and get some clarification on section 19.06.230. Commissioner Nilsson seconded the motion. All in favor. Voting was unanimous.

2. SUN RIVER TOWNHOMES PRUD REZONE AND CONCEPT PLAN – A to R-M1 PRUD

This 6.07 acre property is located at 2187 North Hill Field Road. This property is zoned A (Agricultural) and is proposed for R-M1 PRUD (Low/Medium Density Residential – Planned Residential Unit Development) zoning. The applicant is John Shepherd.

Mr. Matson said the property proposed for rezone includes 6.07 acres located on the west side of Hill Field Road at approximately 2187 North. The rezone area has frontage on Hill Field Road with a secondary access at the northwest portion of the property to 2275 North. The rezone area is located directly north of Seasons of Layton Apartments and south of Beyond Spa. The rezone area is traversed by a 45-foot Davis and Weber Canal Company easement that accommodates the piped and covered canal that traverses this north-central portion of the City.

The rezone area is surrounded by P-B and R-1-6 zoning to the north; CP-2, C-H, PB and A zoning (Northridge High School) to the east; CP-2 and R-H zoning (Seasons of Layton Apartments) to the south; and R-1-8 and R-1-6 zoning to the west.

The applicant for this rezone is John Shepherd representing EVN Property Development, LLC. The rezone area is the last, large vacant portion of frontage on the west side of Hill Field Road between Antelope Drive and the Highway 193. The applicant is proposing to develop a townhome community under the guidelines of the R-M1/PRUD zone.

The General Plan provides a "mixed use" land use recommendation for properties with frontage along this particular stretch of Hill Field Road. Mixed use, both existing and proposed, can include a variety of commercial, professional office and medium density residential. The Hill Field Road frontage in this area includes commercial development near the intersection of Antelope Drive and Hill Field Road (CP-2 zoning). The Ridge Park office park (PB zoning) is directly north of the rezone area at the northwest corner of Hill Field Road and 2275 North. The General Plan cautions that the depth of these land uses along arterial streets should not project into the interior of the surrounding single family neighborhoods. The depth of this rezone area is somewhat limited based on the existing residential neighborhood to the west

The concept plan indicated the applicant's desire to develop 87 townhome units on 6.07 acres, which is a density of 14.33 units per acre. The R-M1/PRUD zone has a density range of 14 to 19.60 units per acre with a base open space requirement of 30%. The concept plan indicates a base open space percentage of 38.60%. At 14.33 units per acre, a very minor density bonus is required to develop the proposed 87 units on the rezone property.

The proposed 87 units are three-story townhomes configured in a combination of building sizes ranging from two to 10 units attached (typically 5 units), depending on the location through the project. All units are proposed to have two-car garages. The townhome buildings and units are similar to a few projects recently constructed along the Wasatch Front. Architectural renderings are included in the packet. The applicant has indicated that the units in this PRUD will cater to young professionals and young families looking for a maintenance-free lifestyle. All units within the project will be owner-occupied.

The rezone area is serviceable by utilities located in Hill Field Road. The Fire Department is requiring a second access into the site and the applicant is proposing to make a private street connection to 2275 North that will line up with 525 West. This secondary access is proposed on City property along the edge of a city-owned detention basin situated between the rezone area and 2275 North. The streets throughout the development are all proposed to be private with maintenance the responsibility of an established home owners association (HOA).

The Davis and Weber Canal Company's (DWC) 45' easement through this property is part of an identified multi-use trail corridor through this north-central portion of the City. The City would like to extend the trail, from its present terminus at University Park Blvd. in Clearfield, to the Kays Creek Trail corridor near Church Street and Fairfield Road. This trail extension is "Priority Trail 3" in the recently adopted Layton City Parks, Recreation, Trails, Open Space & Cultural Facilities Master Plan. This same plan also identifies this general area for a "Future Trailhead". Based on these guidelines and recommendations, the applicant and City Staff have coordinated efforts and propose that the land needed for the required secondary access be provided to the applicant in exchange for the applicant replacing the storm water capacity from the City detention pond to the detention facility located on the southern portion of the rezone area. This will allow the City to design and construct a trail head on the City pond property. The trail head will provide for public parking and access to the DWC Trail.

The City Engineer has not signed off on this design as meeting the capacity requirements. An updated design was submitted this afternoon. The City Engineering memorandum indicates that the storm water detention calculations are not yet sufficient to handle both on and off-site storm water for the project. The detention pond will likely need to be expanded, which may require removal of a townhome building or some units. Staff will continue to work with the applicant on this storm water detention issue. However, if a solution is not available by the time the Planning Commission meets, this item may need to be tabled to the next available meeting.

Staff recommends the Planning Commission review the rezone and conceptual plan, and if solution to the storm water detention issue is presented, the Planning Commission may forward a positive recommendation to the City Council to adopt Ordinance 16-27 approving the rezone request from A to R-M1/PRUD. This recommendation for approval is based on consistency with the General Plan recommendation for mixed use on this portion of Hill Field Road. Staff also recommends approval of the conceptual plan for the Sunriver Townhomes subject to meeting all Staff requirements as explained in Staff memorandums.

Staff recommends this rezone and concept plan be tabled to the next available meeting June 28, 2016.

Madam chair Fitzpatrick asked if the land directly to the south that is on Hill Field Road is where we did a conditional use for a restaurant. Mr. Matson said yes. Madam Chair Fitzpatrick said there was a discussion about the fencing that was already there, do they need to re-fence the area. Mr. Matson said the fencing that is there is a solid vinyl and they can either leave the fence there as that would meet the fencing requirement or they can replace the fence.

Madam Chair Fitzpatrick asked if the home on this property was coming down. Mr. Matson said yes.

Commissioner Hansen asked what the buffer and landscaping requirements will be on Hill Field Road. Mr. Matson said the general landscaping requirements for any PRUD is a 20 foot peripheral buffer. Along an arterial street the PRUD does not recognize the difference in an arterial, local or collector street. There proposal is deeper than 20 feet probably in the area around 40 feet.

Commissioner Hansen said a three story building in the density that is being discussed is quite daunting for our measure north south corridor through a key part of the City. To go on record so that the developers are taking a hard look and trying to mitigate that hard surface structure that is going to face Hill Field Road as part of what addition needs to be done. Mr. Matson said Mr. Shepherd who is representing the applicant indicated in the work meeting that although the elevations may be the same as to what they are looking at they are also looking at an addition amount of relief and offset of buildings both on a unit by unit basis and probably between buildings or break.

Commissioner Van Drunen had a concern about the west side properties and feels it would be better to have less buffer on Hill Field Road and more buffers against the residential.

Commissioner Harding said to the south there are seasons of Layton which are primarily rental units are these going to be owner occupied. Mr. Matson said that is what the applicant has indicated.

Commissioner Harding said in other projects specifically with townhomes we were able to put into the CCR's that only certain percentages were able to be rented. Her fear is that there will not be enough owner occupied and there will be too many rentals.

Commissioner Harding asked what the inventory of the townhomes like in Layton. Mr. Matson said it has definitely been a popular housing type over the last few years. After the recession in 2008 and 2009 there was a demand for rental units and apartment communities. Since 2012 the City has seen single family homes and a handful of townhomes. New units are filling the need in the both the rental market and owner occupied market.

Madam Chair Fitzpatrick said the developer said the units were going to be two car garages and 1500 to possibly greater than 2000 square feet and feels this is a market that is missing in townhomes.

Commissioner Pilny there is a need for almost 10,000 townhomes or multi-family units along the Wasatch front over the next five years. The majority will be north of Salt Lake.

Aaron Mueller, 339 E. 2250 S., Ogden, said they are waiting for the City Engineer to approve the detention basin. They anticipate this to be adequate but are waiting for approval from the City's engineering department.

Madam Chair Fitzpatrick asked Mr. Mueller if he was okay with tabling this to June 28, 2016. Mr. Mueller said yes.

Mr. Mueller said they are seeing more of the baby boomers who are looking to have more room and more of a maintenance free life style. With the pricing it becomes very hard to rent out.

Commissioner Nilsson asked Mr. Mueller if down on the lower portion are those things they have to line to retain the water on the south side. Mr. Mueller said their project is taking on just over 18,500 cubic feet of water. The City's detention basin is 20,000 cubic feet so they are more than doubling what their 6 acres have that are just under 39,000 cubic feet. The reason it is on that side is from the directive of the Engineering department so that they could easily connect to the storm water catch basin which is the line into Hill Field Road. More of the issue right now is that the engineers have proposed a single line boulder retaining wall and the City engineers just need to take a look at the numbers to see if this will work.

Richard Williams, 665 W. 2275 N., said there is a concern in the neighborhood is the volume of traffic off of 2275 North and the speed limit. The reduction in speed needs to be taken into consideration. Mr. Williams stated he is concerned about the school kids crossing the street.

Madam Chair Fitzpatrick asked if most of the traffic would go east to Hill Field Road. Mr. Williams said they go east and would be nice to have a traffic light put in.

Commissioner Nilsson made a motion based on the recommendation from Staff regarding the Sun River Townhomes PRUD to table this rezone until the next available time June 28, 2016 pending the resolution of the drainage. Commissioner Pilny seconded the motion. All in favor. Voting was unanimous.

3. TROY AND PATRICIA CHILD REZONE – A to R-S

This 0.60 acre property is located at 2599 West Gentile Street. This property is zoned A (Agricultural) and is proposed for R-S (Residential Suburban) zoning. The applicant's are Troy S. and Patricia Child.

Mr. Matson said the property proposed for rezone to R-S is .59 acres. (25,700 square feet) located on the south side of Gentile Street at 2599 West. The property is occupied by a single family home

The rezone area is surrounded by A and R-S zoning to the north and east; A, R-S and R-S PRUD zoning to the south; and A zoning to the west.

The applicants for this rezone are Troy and Patricia Child, owners of the property. Mr. and Mrs. Child are requesting the rezone from A to R-S to bring the parcel into zoning conformance relative to lot area. The minimum lot size in the A zone is one acre (43,560 square feet) and the rezone parcel is just over ½ acre (25,700 square feet). The minimum lot size in the proposed R-S zone is 15,000 square feet. The minimum lot width in the A and R-S zones is 100 feet and the rezone parcel is 127.88 feet wide.

The General Plan recommendation for this portion of the City is for low density single-family residential within a density range of 0 to 3 dwelling units per acre. The proposed R-S zone is consistent with this recommendation.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to adopt Ordinance 16-28 approving the rezone request from A to R-S to bring the rezone parcel into zoning conformance. This recommendation is also based on consistency with General Plan land use and density recommendations.

Commissioner Pilny made a motion to forward a positive recommendation to City Council to adopt ordinance 16-28 and approve the rezone request from A to R-S based on the consistency of the General Plan use and density recommendations. Commissioner Harding seconded the motion. All in favor. Voting was unanimous.

4. BARLOW/OVATION HOMES REZONE, DEVELOPMENT AGREEMENT AND CONCEPTUAL PLAT (COTTAGES AT VALLEY VIEW PHASE 2) – A to P-B, R-1-6 and R-1-10

This 21.87 acre property is located at 2100 East Gordon Avenue. This property is currently zoned A (Agricultural) and is proposed for 6.30 acres of PB (Professional Office) zoning, 10.56 acres of R-1-6 (Single Family Residential)

zoning and 5.01 acres of R-1-10 (Single Family Residential) zoning. The applicant is Norm and Brad Frost of Ovation Homes representing Duncan Barlow of Service Mortgage Corporation.

The property proposed for rezone contains a total of approximately 21.87 acres located south of Oakridge Drive at approximately 2100 East. The rezone area is north of Valley View Golf Course and is surrounded by R-1-10 and R-1-6 zoning to the north; A and R-1-10 zoning to the east; A zoning to the south, and A and R-1-10 zoning to the west. The rezone area is situated where Gordon Avenue will extend from the eastern boundary of Andy Adams Park (approximately 1725 East) to 2550 East, which is on the south end of Orchard Grove Subdivision.

The rezone request is accompanied by a development agreement that outlines the city and owner's undertakings relative to utilities (both on and off-site), streets, land uses, and housing types within the rezone area. Since the rezone area is located in a sensitive lands area, a conceptual plat is also before the Planning Commission as part of this agenda item.

The applicant for the rezone is Ovation Homes (Brad and Norm Frost) representing property owner Duncan Barlow (Service Mortgage Inc.) owning two separate parcels totaling approximately 21.87 acres. Approximately one year ago the Planning Commission reviewed and recommended approval of a development agreement and rezone for this area. Shortly after the Commission's review, it was determined that the sensitive lands review process was required for this property.

The City Engineer has been working with the applicant's engineering consultant to determine the appropriate alignment and design of the Gordon Avenue corridor through this area of the city. The alignment through the rezone area reflects the proper location for the 80-foot right-of-way so on-site and off-site utility and street connections are appropriately accommodated. With the rezone area located along the future extension of the Gordon Avenue corridor, it is necessary to outline the various utility, access and street connection issues associated with development along this future arterial street. The Engineering Division has outlined several utility requirements for the development in the single family residential and professional office zoning districts. The utility and infrastructure requirements for the subject property are outlined in the attached Development Agreement. The Owner's Undertakings section of the Development Agreement (Article IV, pages 3-7) provides assurance that the Owners, and subsequent developer, provide the appropriate utility and street connections and improvements for a quality development.

The General Plan recommendation for this area of the city is for single family residential at 2-4 units per acre. The proposed R-1-10 zone, and R-1-6 zone with an appropriate density restriction, is consistent with this recommendation. The PB zoning is proposed to accommodate an assisted living facility on the south side, and adjacent to, Gordon Avenue. The General Plan recommends PB zoning as an appropriate alternative bordering arterial streets.

The City's General Plan and Zoning Ordinance describe that the proposed PB (Professional Office) zoning district is intended to provide areas throughout the City for offices and institutional uses in which the intensity of the use, in terms of hours of operation and number of customers, is less than that of a commercial zone. It is further described that the PB zone should be located along arterial and collector streets, abutting residential neighborhoods. The General Plan also recommends that developments in the PB zone should take into account the adjacent neighbors and attempt to blend into the area through the appropriate use of architectural motifs, scale, height, and signage. The guidelines and regulations of the PB zone, together with the requirements of the Development Agreement, should ensure that development of the proposed assisted living facility is consistent with General Plan recommendations.

Prior to the original rezone submittal over a year ago, the applicant (Brad and Norm Frost with Ovation Homes) organized and held three separate open houses in March, 2015 to provide information to residents of the surrounding neighborhoods. The applicant also distributed information flyers to an estimated 50 homes in the surrounding neighborhoods. The open house presentation and flyers focused on the "senior living" emphasis of the development with details regarding the amenities and services of the assisted living facility. The applicant indicated that a total of approximately 30 area residents attended the open houses. The applicant indicated that he received positive feedback about the development proposal.

Gordon Avenue is a planned 80-foot arterial street that extends east-west through the rezone area with development proposed on the south side. Cottages at Valley View Subdivision Phase 1, which is under construction, has established the right-of-way alignment for the north side of Gordon Avenue directly north of the property proposed for PB zoning. As per the development agreement, the property owner will be required to dedicate the necessary right-of-way through the rezone area from the western boundary of the PB portion to 2550 East. On the western portion of the rezone area, the property owner will also construct the 80-foot right-of-way through the R-1-6-zoned area on the north (Cottages at Valley View Phase 1) and the PB-zoned area on the south.

From the eastern boundary of the PB-zoned portion of the rezone area to the eastern boundary of the R-1-6-zoned area on the south side of the Gordon Avenue right-of-way, the property owner is required to complete a rough grade of the entire 80-foot right of way. Within this same portion and along the south side of the Gordon Avenue extension, staff requests that the property owner construct a 10-foot wide asphalt trail and landscape improvements to complete a pedestrian connection through this unimproved portion of the corridor. The trail will run along the rear of the R-1-6-zoned lots/homes within the Gordon Avenue right-of-way situated between the back of curb and the south right-of-way line. The design of the trail and landscaping will be specified in a trail and landscape plan submitted with the preliminary plat for the R-1-6 portion of the Subject Area. The specific requirements for the Gordon Avenue corridor through the rezone area are outlined in Section 4.9 of the Owner's Undertakings portion of the draft Development Agreement.

The Development Agreement outlines the various requirements and provisions for culinary water, sanitary sewer, storm drain and land drain throughout the rezone area. Culinary water service for the rezone area will require water line connections and/or extensions from 2125 East, 1200 North and a looped system to 2550 East. Development of the rezone area requires connection to a 10-inch sanitary sewer line that was extended from the western boundary of the rezone area, west in the future Gordon Avenue right-of-way to the existing sewer main in Gordon Avenue, located near the eastern boundary of Andy Adams Park. This sewer line extension was installed with the improvements for Cottages at Valley View Phase 1. Storm drain service for the rezone area requires connection to a gravity-fed line within the future Gordon Avenue right-of-way. This line was installed with the improvements for Cottages at Valley View Phase 1 from the western boundary of the rezone area to the existing storm drain line south of the Oakridge water tank. A land drain system is required throughout the development of the rezone area, based on final design and requirements with preliminary subdivision plat approval.

The PB-zoned area is set aside for the development of a proposed assisted living facility. Preliminary design concepts indicate the applicant's intent to construct a two-story assisted living facility with an estimated 70 units. The architecture and building materials will be similar to those required for the cottage-type homes in the R-1-6 portion of the rezone area. The applicant has provided the attached architectural renderings of the proposed facility on Exhibit "C" of the development agreement.

The applicant is proposing the R-1-6 portion of the rezone area be developed primarily with single-level, single-family homes targeted at an older demographic often referred to as "empty nesters". Homes proposed in this area will be similar to what Ovation Homes has constructed in the Cottages at Fairfield Subdivision at the northeast corner of Fairfield Road and Church Street. The proposed development agreement language regarding architecture, square footage, and HOA requirements is similar to that of the agreement for the Cottages at Fairfield.

The R-1-6-zoned area requires the construction of a standard 58-foot street in a looped road configuration from the eastern boundary of the PB-zoned area to the eastern boundary of the R-1-6-zoned area.

The General Plan-recommended land use and density range for this area of the city is for single family residential at 2-4 units per acre. A typical R-1-6 subdivision develops at a density of 4-5 units per acre. Although the R-1-6 zone is typically located in areas of the city with a density range of 3-6 units per acre, the development agreement caps the number of lots/homes in the 10.56-acre R-1-6 zone at 28 (+2.65 units per acre). This density limitation insures consistency with General Plan recommendations for this area.

Given the alignment of the future Gordon Avenue right-of-way and the grade of the R-1-10 portion of the rezone area, the applicant proposes four large single-family lots along the south frontage of Gordon Avenue. Building

permit approval will be subject to design and approval of a driveway configuration, such as a circular or hammerhead driveway, to insure that vehicles exiting these lots can do so in a forward manner onto Gordon Avenue.

Just over one year ago, the City reviewed a similar proposal for this overall area that included what is now known as Cottages at Valley View Phase 1, which consists of 18 lots accessed from Oakridge Drive at 2125 East. Phase 1 was separated from the larger area because it did not involve any sensitive lands issues that required separate geotechnical studies and reports. During the past year, the applicant has worked through the sensitive lands conceptual plat requirements for the rezone area. The rezone and development agreement for the remaining 21.87 acres can now be reviewed based on a conceptual subdivision plat that meets the sensitive lands standards with appropriate geotechnical and geologic studies that address the sloped portion of the property adjacent to Valley View Golf Course.

The applicant, Ovation Homes, hired GSH to complete the geotechnical studies for the property. The City hired Golder Associates to conduct a third party peer review of GSH's geotechnical studies concerning the sloped areas of the subject property. Golder visited the property with City Staff and, through local geological mapping and GSH's research, determined that the sloped areas contained historical shallow slope failures and slumping near the slope crests. Landslide scarps were also identified based on slumping due to groundwater.

After corresponding between GSH and Golder Associates a number of times, Golder Associates' final recommendations for platting of the rezone area includes:

- a drain system for groundwater and irrigation runoff;
- a minimum 20 foot setback from the crest of the slope for habitable structures; and
- no structures are to be located in the mapped landslide scarp areas.

More specifically, development of the subdivision will require the installation of a land drain system to capture groundwater that may encroach into the footings of a home. In addition, a land drain system is required to collect excess runoff from irrigation or down spouts collecting rain water. Cut-off drains are required at the crest of the slopes to capture any excess groundwater or water runoff. This protects the crest of the slope from slumping or triggering a landslide.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to adopt Resolution 16-44 approving the Development Agreement and adopt Ordinances 16-29, 16-30 and 16-31 approving the rezone requests from A to P-B, R-1-6 and R-1-10 based on consistency with the with the General Plan land use and density recommendations for this property and based on Owner and subsequent developer of the property agreeing to the terms of the attached Development Agreement.

Staff also recommends the Planning Commission forward a recommendation to the City Council to approve the conceptual plat for Cottages at Valley View Phase 2 subject to meeting recommendations from all geotechnical studies and Staff requirements.

Commissioner Weaver asked if in the R-1-10 the developer was going to develop the south side of the road. Mr. Matson said yes

Commissioner Weaver asked how the south side was going to connect to 2550. Mr. Matson said they will connect with the intersection of 2550.

Commissioner Weaver asked if the developer was going to finish the north half. Mr. Matson said the north half is already there so the developer will join the existing wedge.

Commissioner Hansen asked if the residents who will purchase homes in the R-1-10 zone would in addition have to complete the south side of the road that comes into the R-1-6 zone so that they could come into phase two of the cottages and travel through there and back out and catch Gordon Avenue again because the grade will only be a rough cut from the exit of cottages between the two roads that hit Avenue. Mr. Matson said yes.

Commissioner Hansen said when we are looking at putting in the assisted living facilities within a residential area we need to address deliveries so that we know what kind of deliveries are going to be made and the types of vehicles that are going to be transporting deliveries through these residential areas. Mr. Matson agreed.

Commissioner Hansen said on the geotech report regarding the replacement of Gordon Avenue extended through the area is the Staff and Engineering department confident that they have done their homework to ensure that we have a road that will stay where it is put. Mr. Matson said he had not read that particular part of the geotech report regarding the roadway itself although the street is the City's responsibility to build. The roadways are just as important of a structure as the single family homes. Mr. Matson said he will make sure when the preliminary plat comes through that this issue is pointed out for the Commissions.

Commissioner Nilsson asked if this area was in a culinary or secondary zone. Mr. Nilsson said he noticed they are going to form an Home Owners Association and would develop CCR's. Is the lower road a private under the control and maintenance of the Home Owner's Association or is it a City street. Mr. Matson said it is a City street. The agreement says they may be looking at the maintenance of the front yard. Mr. Matson said they will have both culinary and secondary water.

Commissioner Harding asked if there were any cuts and fills over ten feet being made to the property during the grading process because they would have to review anything over 10 feet. Mr. Matson was not aware of any cuts and fills over 10 feet.

Commissioner Harding said her understanding was the cuts and fills would need to be reviewed at conceptual plat level by the Planning Commission. Mr. Matson said he thought it was at the preliminary level. Commissioner Weaver looked it up and it says it is a conceptual level and is six feet not 10 feet. Mr. Matson said to his knowledge there have not been cuts and fills to that magnitude.

Commissioner Harding asked if the developer was planning on mass grading or phase grading. Mr. Matson said there is no mass grading. There is grading relative to the roadway.

Brad frost, applicant, said the sensitive lands issues were less than 20 percent. They have to go and put the road in all at once because they have to have the second connection off of 2550 East. They will do both sides of the assisted living and Cottages of Valley View which will all be one phase.

Madam Chair Fitzpatrick asked if off of Gordon Avenue on the east end if it is a single lane how will traffic go in both directions. Mr. Matson said they typically end up doing a minimum of 26 feet of drive able surface and that allows traffic to go either direction for the time being until the right-of-way is completed.

Madam Chair Fitzpatrick said if we approve the rezone are they under the old parking requirement or will they be under new parking requirements. Mr. Matson said typically it's what is in the books but if the Planning Commission can make it part of the motion that staff add in the new requirements if applicable.

Mr. Nicholas Mills, Attorney, said the cuts and fills are addressed at preliminary.

Mr. Frost said they had to submit a cut and fill and drainage plan with the conceptual because of the sensitive lands and the topography would not allow them to cut that much.

Blake Wahlen, 2080 E. Oakridge Circle, said his concern in the neighborhood is the parking and traffic. He said this has been classified as a PB on a .potential permitted use on a arterial. He stated the definition of an arterial and they do recognize that Gordon Avenue will someday be an arterial but do not believe it is an arterial until it connects to something on one end or the other. To classify it as an arterial would be in direct conflict with the definition from Federal Highway Administration. Gordon Avenue should really be classified as a local street until it connects to something.

Commissioner Van Drunen asked if the argument was since it is not an arterial you cannot have a PB zone. Mr. Wahlen said yes.

Commissioner Hansen asked if the PB zone would make it a conditional use if we called it a local street. Mr. Matson said the establishment of the zone seems to be more of timing than the completion of Gordon Avenue. It is a City street but also involves some potential State and Federal funding to complete and make the connection onto Highway 89 which doesn't happen until there is an interchange.

Commissioner Van Drunen asked if they address the parking, traffic and deliveries at preliminary. Mr. Matson said yes.

Commissioner Hansen asked if on an arterial is it a permitted use and until it is classified as an arterial than a PB zone is classified as a conditional use. Mr. Matson said the zone is not a conditional use. The land uses that are allowed in that zoning are either permitted or conditional. The zoning category is split up into two ordinances which include a nursing home, home for the elderly. Any uses associated with this include a conditional use permit.

The cut and fill issue is a general reference in the sensitive lands chapter and is not mentioned in the conceptual, preliminary or final. It is a general set of development standards and one of those is the Planning Commission must approve the cuts but does not assign a specific time but it is probably best to approve at preliminary.

Commissioner Harding asked if there was a traffic study or is there a mitigation being currently in the works for the assisted living facility. Mr. Matson said there is not a provision in the draft of the agreement for a specific traffic study. There is a provision in the City code that any time a use is proposed that the City engineer can call upon the provision for a traffic study at any time.

Terry Smith, 1228 North 2550 East, said right at the peak of the road where the pasture ends 1200 North goes east. He said Mr. Frost made a statement that there was going to be a 26 foot wide path going through there with one way traffic, is that correct? Mr. Frost said there will be two way traffic.

Mr. Smith asked if they have they have addressed the school and the easement. He also said the long term plan is 20 years out for Gordon Avenue to continue east up to Highway 89 and there seems to be a discrepancy on what is being developed on the east side of the pasture. Mr. Matson said the timing of Gordon Avenue as a project and corridor overall is a city project. It is also in the Wasatch Front Regional Council and State Transportation plan which is in phase one, which we are presently in and takes you through the year 2021. That coupled with UDOT's information that they have shared about the additional improvements with Highway 89 including a full interchange at Gordon Avenue, a full interchange at Antelope Drive and an interchange at Oakhills Drive and they would like those completed within the same time period. So we are really talking about a phase one time frame of five years out but that can be extended.

Madam Chair Fitzpatrick said the part of Gordon going east will be 26 feet wide and will be stripped down the middle to have two 13 travel lanes.

Commissioner Pilny asked when the north side of the 26 foot road will be completed. Mr. Matson said it will be in the portion with the next five years. Mr. Matson said that Mr. Frost pointed out that they have an option on the triangle piece which they would be able to realign the road better. Mr. Matson asked Mr. Smith where they drop off the kids. Mr. Smith said east of the easement of the school. Mr. Smith said there is sloping on the pasture on the south east side which is a concern.

Madam Chair Fitzpatrick said her understanding is when the interchange takes place Cherry Lane will be shut off. Access to 89 will no longer exist at Cherry Lane. So at that point there would be no reason to go through those neighborhoods.

Taylor Spendlove, 2113 E. 1700 N., said he is a developer and has done a lot of traffic studies and said a project this size does not generate much traffic at all. He stated that Ovation Homes does a great job on their projects and

Phase one will be a nice community. He stated that the traffic that is generated will probably not be during school hours and thinks this is a good project and will not have a huge impact. He stated it would be nice to have Gordon Avenue go all the way through and connect Cherry Lane so that Oakridge Drive is a little quieter but Oakridge Drive is not too bad.

Mr. Wahlen asked if a PB zone was permitted on a local street. Mr. Matson said no, but in the case of Gordon Avenue it would.

Bob Haywood, 2521 E. 50 S., said with rezoning proposal he is concerned about parking if the assisted living goes in. On the City street that is being put into Valley View Phase one will there be parking permitted on that street. That is an immediate impact on his property and would urge that there would not be parking. He stated he feels there needs to be some control over the parking.

Madam Chair Fitzpatrick said they will be watching the parking issue as it has been an issue for the Commissioners.

Commissioner Weaver said during holidays there will be parking in the street.

Mr. Haywood asked if the Homeowners Association will have control of parking on the private street and what kind of enforcement would they have. Mr. Mills said it will be up to the Homeowners Association.

Mr. Matson said the Development Agreement accommodates an assisted living but if you want it restricted to the type of use only then that will need to be specified. Mr. Matson said we should probably say the developer agrees to develop only an assisted living facility.

Commissioner Nilsson asked Mr. Frost if that was his understanding that it shall only be an assisted living facility. Mr. Frost said yes.

Mr. Matson said the assisted living aspect is a conditional use and will come before the Planning Commission.

Commissioner Harding said currently on the General Plan Gordon Avenue is an arterial road. Mr. Matson said yes.

Motion one: Commissioner Van Drunen made a motion that Planning Commission forward a positive recommendation to City Council to adopt resolution 16-44 for approving the development agreement. Commissioner Pilny seconded the motion. All in favor. Voting was unanimous.

Motion Two: Commissioner Van Drunen made a motion that Planning Commission forward a positive recommendation to City Council to adopt ordinance 16-29 to approve the rezone request from Agricultural to PB based on the consistency of the General Plan and density recommendations for this property. Commissioner Hansen seconded the motion. All in favor. Voting was unanimous.

Motion three: Commissioner Van Drunen made a motion that Planning Commission forward a positive recommendation to City Council to adopt ordinance 16-30 to approve the rezone request from Agricultural to R-1-6 based on consistency with the General Plan land use and density recommendations for this property. Commissioner Harding seconded the motion. All in Favor. Voting was unanimous.

Fourth motion: Commissioner Van Drunen made a motion that Planning Commission forward a positive recommendation to City Council to adopt ordinance 16-31 to approve the rezone request from Agricultural to R-1-10 based on consistency with the General Plan land use and density recommendations for this property. Commissioner Pilny seconded the motion. All in favor. Voting was unanimous.

Fifth motion: Commissioner Van Drunen made a motion the Planning Commission forward a positive recommendation to the City Council to approve the conceptual plat for Cottages of Valley View Phase 2 subject to meeting all recommendations from geotechnical studies and Staff requirements. Commissioner Hansen seconded the motion. All in favor. Voting was unanimous.

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

PUBLIC REVIEW

5. VASA ATHLETIC/FITNESS CENTER – CONDITIONAL USE

This property is located at 2010 N. Main Street in a C-H (Planned Highway Commercial) zoning district. The applicant is Vasa Fitness.

Mr. Applonie said the applicant, Vasa Fitness, is requesting conditional use approval for an athletic club. The conditional use site at 2010 North Main Street is located within the C-H zoning district. Vasa Fitness is an athletic club that offers amenities, such as, basketball courts, racquetball courts, cardio equipment, free weights, aerobic classes, personal training, and group training. The conditional use site is located in the old Albertson's grocery store building next to K-Mart at the north east corner of Main Street and Antelope Drive.

The parking requirement for an athletic club is based on the occupancy load of the building. The parking ordinance requires 1 stall for every 2 persons such place is designed to accommodate. As per the building code, the conditional use site has a maximum occupancy load of 550 individuals and as such 275 parking stalls are required. The site has 281 parking stalls, which exceeds the parking requirement; however, most of the striping in the parking lot is hardly visible. There are also 128 parking stalls for the strip mall that runs east and west at the conditional use site which meets the parking ordinance for general retail space.

Staff recommends approval of the conditional use for an athletic club subject to the following conditions:

1. All Building, Engineering and Fire department requirements shall be completed prior to the use of the property.
2. Parking stalls must be restriped and at all times be clearly visible and maintained.

Commissioner Van Drunen said he read somewhere in the Staff report that something was going to be added on. Mr. Applonie said the applicant has talked about potentially adding on to the back but is not part of the conditional use.

Commissioner Van Drunen asked if adding on trigger different landscaping requirements. Mr. Matson said generally it is triggered by a major change in use of property and improvements above \$50,000.

Commissioner Van Drunen asked if the buffer requirements have been met. Mr. Matson said yes.

Commissioner Van Drunen asked if they are they leasing or buying. Mr. Applonie said they are leasing.

Madam Chair Fitzpatrick asked if the 281 spaces are allotted to Kmart. Mr. Applonie said Kmart has additional 303 spaces available.

Madam Chair Fitzpatrick said she was not sure the lighting was adequate. Is this piece of property in the RDA and if so, is there any impact? Mr. Matson said it is in the RDA and there should be no impact.

Madam Chair Fitzpatrick asked if the redevelopment can restrict what goes into places. Mr. Matson said no.

Madam Chair Fitzpatrick asked if there was anything in the near horizon that will be developed in that area. Mr. Matson said not that he was aware of.

Commissioner Van Drunen asked if the lighting was a code issue. Mr. Matson said it was a code issue.

Commissioner Harding asked if signage was a code issue or a conditional use issue. Mr. Matson said signage is a code issue.

Commissioner Harding asked if there were plans for signage. Mr. Applonie said the signage is not attached to the conditional use but would be reviewed when they issue a sign permit.

Madam Chair Fitzpatrick stated it would be nice to get the parking lot fixed.

Kirk Livingstone, 1080 E. 570 S. Heber, said before opening the facility they will do a complete crack seal and restriping of the parking lot. They will also make sure that all parking lights are working and coming on when it is dusk.

Commissioner Harding asked what the time frame was to opening. Mr. Livingstone said they would like to be open before January 1, 2017.

Commissioner Harding made a motion to grant a conditional use approval for Vasa Fitness at 2010 N. Main Street subject to meeting all Staff requirements. Commissioner Weaver seconded the motion. All in favor. Voting was unanimous.

Commissioner Van Drunen made a motion to adjourn the meeting. Commissioner Hansen seconded the motion. All in favor. Voting was unanimous.

Meeting adjourned: 9:17 p.m.



Christy Wixom, Planning Commission Secretary