

**LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
JULY 26, 2016**

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

MEMBER ABSENT:

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

City Council Member:

PUBLIC HEARING

1. NEVILLE ANNEXATION, ANNEXATION AGREEMENT AND REZONE – A to R-S PRUD

This 12.13 acre annexation and 13.66 acre rezone area is located at approximately 1900 W. 1000 S. This property is zoned A (Agricultural) and is proposed for R-S PRUD (Residential Suburban – Planned Residential Unit Development) zoning. The applicant is Donald Neville.

Mr. Matson said the plat has been submitted and there was just a few corrections that will need to be made before the mylar can be printed and will go to the County to be recorded with the Agreement. There is a combination of 43 units and lots. The north portion has eight single family lots which range between 1200 square feet to 1900 square feet which is calculated in as part of the PRUD. The middle portions of the proposed development are smaller lots and the attached units are the 3 four plex buildings that are similar to the Barlow West development to the south.

Commissioner Weaver asked if there will be any basements. Mr. Frost said no because the sewer elevations does not allow for basements.

Mr. Matson said the roads are all proposed to be public. The Annexation Agreement primarily outlines the utility requirements and the coordination and connection from this property to the Barlow property and the utilities that currently exist.

Commissioner Nilsson said that since all water will flow to the south and if there is a heavy rainstorm will there be problems. Mr. Frost said the detention basin is designed to accommodate storm water from both developments.

Commissioner Nilsson asked if the issue of the wetlands on the west side have been resolved. Mr. Frost said the FEMA maps have been addressed and is not an issue. Mr. Matson said the West Davis Corridor maps shows a large wetland area that the corridor is supposed to go through so there just needs to be some additional delineation to make sure where exactly the line is located at and if it needs to be addressed.

Commissioner Nilsson asked if they needed to table this until they knew if the wetland would be an issue. Mr. Matson said no because they would still annex the same property and if further analysis showed it did encroach in the property then they would have to design around the wetlands with the preliminary plat process.

Commissioner Harding asked how certain were they on the location of the West Davis Corridor. Mr. Matson said this is the preferred alignment that is identified in the EIS.

Mr. Matson said Davis County Flood Control wanted to make everyone aware of the West Davis Corridor information before the development got to the preliminary stage. The Neville property is about .25 acres short for the required open space; this will need to be addressed during preliminary plat reviews.

Commissioner Weaver asked what the plans were with the open space. Mr. Frost said possibly a couple of pickle ball courts and a gazebo.

Madam Chair Fitzpatrick asked if there was a trail along the corridor. Mr. Matson said on the east side of the corridor is where UDOT has the regional trail planned so the connection on the Barlow property is on the north side of Kay's Creek to connect back into the Kayscreek trail on the south side of Weaver Lane.

Commissioner Nilsson asked where the pump station would be located. Mr. Frost said it is located across Weaver Lane.

Commissioner Harding asked the color of the fence. Mr. Matson said it will be a trex fence.

Commissioner Harding asked if the single detached units sell as well as the attached units in the same subdivision. Mr. Frost said yes they function really well together.

PUBLIC REVIEW

2. KATIE'S PLACE – CONDITIONAL USE FOR A SECOND DETACHED SIGN

This property is located at 1649 W. Antelope Drive in a PB (Professional Office) zoning district. The applicant and owner is Katie Bowden.

Mr. Rypien said the second detached sign is limited to a monument type detached sign based on Title 20. Based on the setback of the building they are restricted on where they can place signs on the property. The primary detached sign is on Antelope Drive and will have only one face that will face out toward Antelope Drive. They will have an electronic message center as part of the sign. The primary sign on Antelope is visibly restricted and the second sign would be proposed to be on the south side of the property. The second sign will be used to help clients identify the different businesses in the building and the sign will not have an electronic message center and the size is 16.8 square feet.

Commissioner Nilsson asked if there was a change in the location of the sign. Mr. Rypien said monument signs are required to have a five foot setback and the landscape area is only eight feet deep so the sign has to be turned parallel with the street.

Commissioner Nilsson asked if the applicant was fine with the position of the sign. Mr. Rypien said yes.

Madam Chair Fitzpatrick said the sign should be single sided. Mr. Rypien said he agreed and would discuss with the applicant.

Madam Chair Fitzpatrick asked if they could only have a monument sign and no sign on the building. Her concern was that people coming from the east will not see the sign. Mr. Rypien said they could have a sign on the building however, there is not a good location to put the sign.

Commissioner Harding asked where the entrance was for the building. Mr. Rypien showed the entrance on the map.

Commissioner Van Drunen asked if there was any feedback from the neighbors. Mr. Rypien said no.

3. HARMON ACCESSORY RESIDENTIAL DWELLING – CONDITIONAL USE

This property is located at 930 Amethyst Street in an R-1-8 (Single Family Residential) zoning district. The applicant and owner is Kristi Harmon.

Mr. Rypien said a detached accessory residential dwelling is required to be placed in the rear yard area of the primary structure. The sides set back requirements are eight and ten and there is a 20 foot rear yard setback for the accessory structure. There is also a minimum of a six foot set back from the primary structure.

Commissioner Van Drunen asked if the setback was 20 plus 10. Mr. Rypien said it is a 20 foot setback. If it was not a dwelling but a detached garage then there would be a three foot minimum setback.

Madam Chair Fitzpatrick asked if they had to provide any additional parking. Mr. Rypien said one stall would meet the requirement but they have one stall for the garage and two spots in the driveway and they can count the stalls in the driveway because they are leading to the garage. For the size limitation the accessory dwelling is limited to 40 percent of the living space of the home. The accessory dwelling is 700 square feet which is 35 percent of the primary dwellings living space.

Commissioner Bodily asked what the design would look like. Mr. Rypien said he has not seen the design but they are required to follow the same design guidelines as the primary home.

Madam Chair Fitzpatrick asked if the primary structure was about 40 yrs old. Mr. Rypien said yes it was built in the 60s.

Commissioner Harding asked if an accessory structure is required to have a land drain? Mr. Wright said the engineering department will determine the requirement.

Commissioner Weaver asked if there will be a basement. Mr. Rypien said no. They will be required to submit to the City a letter of agreement stating that the dwelling is to be occupied by family.

Madam Chair Fitzpatrick asked if the applicant was okay that family could only occupy the dwelling and that it cannot be used as a home occupation. Mr. Rypien said yes.

Madam Chair Fitzpatrick asked if there were any comments from the neighbors. Mr. Rypien said he was not aware of any comments from the public.

Commissioner Bodily asked if mom and dad move out and the daughter has a home based business will she be able to work out of the home. Mr. Rypien said no.

Commissioner Nilsson asked about the building behind the house. Mr. Rypien said if it is a detached garage it can be three feet from the side or rear property line.

Commissioner Harding asked if this gets its own tax ID number. Mr. Rypien said no.

Commissioner Hansen asked if this would be a single story and if we should list the family only as one of the conditions. Mr. Rypien said it is single story and the applicant is required to submit a letter stating that it is family only and the City records it against the property.

4. **WINDMILL SUBDIVISION PHASES 2A & 2B – FINAL PLAT**

This 4.20 acre property is located at approximately 3425 W. 175 S. in an R-S (Residential Suburban) zone. The applicant is Cameron Scott with Destination Homes.

Mr. Weaver said the Planning Commission approved the preliminary plat over a year ago. Destination Homes is currently under construction for phase one, which has a connection to 3200 West. Phase 2A will consist of 9 lots on 4.2 acres, which consists of a cul-de-sac street on the north end, which creates a density of 2.14 units per acre. Phase 2B is on the south end and it consists of 19 lots on 8.4 acres with a density of 2.26 units per acre. Both subdivisions combined have a density of 2.2 units per acre for 28 lots on 12.6 acres. All lots meet the R-S requirements for frontage and lot-averaging.

Commissioner Bodily asked about the water table and the wetlands. Mr. Weaver said the irrigation tailing pond that was being used by the Bone family dried up and is not delineated as wetlands anymore.

Madam Chair Fitzpatrick asked Mr. Wright to show her on the map where this will connect to Layton Parkway. Mr. Weaver said Layton Parkway is currently to 2200 West where Evergreen Farms is located at.

Madam Chair Fitzpatrick asked if the island overlook homes had the Layton Parkway fencing. Mr. Weaver said they have the fencing in but the landscaping has not been installed.

Madam Chair Fitzpatrick asked if they are going to be required to do the landscaping up front. Mr. Weaver said they will need to do the landscaping when Layton Parkway gets constructed. The City will require the fencing along Layton Parkway.

Madam Chair Fitzpatrick asked if the developer is required to pay for half of Layton Parkway. Mr. Weaver said they may have to bond for the small portion of the property.

Mr. Wright said when the development occurs the City will get the ownership of the road.

5. FIDDLER'S CREEK MEADOWS PRUD – PRELIMINARY PLAT

This 7.77 acre property is located at approximately 255 S. Fairfield Road in an R-1-6 PRUD (Single Family Residential – Planned Residential Unit Development) zoning district. The applicant is Jerry Preston.

Mr. Weaver said at the first of the year this proposed development was rezoned R-1-6 PRUD on 7.4 acres of vacant property. The good thing about this in fill development is that it does create connections with the existing stub streets on both sides of the property. The roads in this development will be public, except for the private drive, which will be maintained by the Home Owners Association as well as all the common area.

Commissioner Weaver asked how long the private drive was. Mr. Weaver said it is 150 feet.

Madam Chair Fitzpatrick said in the Staff report it says the proposed streets in the PRUD development are to be public and will provide necessary connection with the subdivisions to the north and south. She feels it should say with the exception of one private drive. Mr. Wright said the streets are public and the driveway is private.

Commissioner Nilsson asked if the fire protection has to be on the main street or somewhere on the private drive and there can't be a water stub in the cul-de-sac. Mr. Weaver said there has to be a drive able surface to access the units.

Commissioner Weaver asked if there was a discussion with the developer regarding lot 21 having to be sprinkled. Mr. Weaver said yes.

Commissioner Nilsson asked what the public feedback was with the adjustments. Mr. Weaver said there has been positive feedback from the public.

Commissioner Nilsson asked if the HOA is maintaining the front of the lots or will the HOA be taking care of the common ground around the homes. Mr. Wright said the HOA will be taking care of the common ground.

Commissioner Weaver asked if the homes will be built on a pad. Mr. Weaver said no they are planning for basements, the common area will be around the buildable area.

Commissioner Pilny asked if the proposed no parking sign is for the private drive only. Mr. Weaver said yes.

Commissioner Weaver asked if the residents could put in a fence. Mr. Weaver said they could put a fence around the patio area.

Mr. Weaver said there is no density bonus required. The Development Review Committee wants to make sure that brick wraps around about 18 inches to the side of the house. The house plans can't repeat adjacent to each other. They moved a planned tree at the end of the private drive to allow for the snow storage that is being plowed from the private drive. The applicant has since changed the layout of the lots, which provided enough space for snow storage and tree plantings.

6. **HARMONY PLACE PRUD SUBDIVISION PHASE 2 & 3 – FINAL PLAT**

This 4.67 acre property is located at approximately 225 S. 2375 W. in an R-S PRUD (Residential Suburban – Planned Residential Unit Development) zoning district. The applicant is Dan Reeves with Perry Homes.

Mr. Weaver said phase 2 is connected to the south of phase 1 and phase 3 is at the southwest corner of the development. Agricultural property is located to the east and west and the detention basin is south of the property. Phase 2 contains 4.67 acres and phase 3 contains 4.53 acres. In phase 2 there are 16 single family lots which creates a density of 3.43 units per acre. Common areas will be located along street frontages of 225 South and 2500 West. Phase 3 will have 16 single family detached lots with the cul-de-sac as part of the phase with a density of 3.53 units per acre. Phase 2 and 3 are important for the extension of the future infrastructure for the development and the future elementary school site.

Madam Chair Fitzpatrick asked how much of the detention basin does the Home Owner's Association maintain. Mr. Weaver said the City participated in grading the detention basin and have been working with Perry Homes, Bob Stevenson, and the Adams Company to get the landscaping irrigation put into the detention basin. Perry Homes has taken the lead. The Homes Owner's Association will maintain the detention pond.

7. **VINEYARDS SUBDIVISION PHASE 4 – FINAL PLAT**

This 1.87 acre property is located at 1200 N. 2200 W. in an R-1-8 (Single Family Residential) zone. The applicant is Chase Stevenson.

Mr. Weaver said the applicant is Elda Stevenson.

Madam Chair Fitzpatrick asked how wide the sidewalk will be. Mr. Weaver said it will be four feet wide and a 4 ½ foot park strip.

Madam Chair Fitzpatrick asked if there was any landscape buffer. Mr. Weaver said there is nothing required because 2200 West is a major collector.

Updates: Madam Chair Fitzpatrick asked what is going on with Major Estates. She was concerned nothing is being done. How long does a subdivision have until they need to start working on things. Mr. Wright said the permit is good for 180 days and all they have to do is show some progress.


Christy Wixon, Planning Commission Secretary

(Please see other side)

**LAYTON CITY PLANNING COMMISSION MEETING MINUTES
JULY 26, 2016**

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

MEMBERS ABSENT:

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

City Council Member:

Madam Chair Fitzpatrick called the meeting to order at 7:00 p.m.

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

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

PUBLIC HEARING

1. NEVILLE ANNEXATION, ANNEXATION AGREEMENT AND REZONE – A to R-S PRUD

This 12.13 acre annexation and 13.66 acre rezone area is located at approximately 1900 W. 1000 S. This property is zoned A (Agricultural) and is proposed for R-S PRUD (Residential Suburban – Planned Residential Unit Development) zoning. The applicant is Donald Neville.

Mr. Matson said the property proposed for annexation and rezone contains 12.23 acres and the property proposed for rezone contains 13.66 acres located on the south side of 1000 South at approximately 1900 West. The north 1.43 acres is in the City and zoned R-S and the south 12.23 acres is unincorporated county for a total of 13.66 acres proposed for R-S/PRUD rezone.

The annexation/rezone area is directly north of the Barlow PRUD property that was recently annexed into the City. Davis School District property recently purchased for a new Jr. High School is located directly east of the annexation/rezone area. The annexation/rezone area is surrounded by unincorporated county and R-S zoning to the north; A and R-S/PRUD zoning to the east; and unincorporated county to the south and west.

The annexation petition is accompanied by a rezone request for R-S/PRUD zoning to develop a single family detached/attached PRUD with access from 1000 South and a connection to the Barlow PRUD to the south. The PRUD is designed to cater to a senior demographic of empty-nesters.

The applicant for the annexation and rezone is Ovation Homes representing Donald Neville, owner of the 13.66 acres proposed for annexation and rezone.

The annexation/rezone area has several features that support the clustering of residential units and the classification of a planned residential unit development. The property is located along a collector street (1000 South) and situated between a future regional highway corridor (WDC) and a future Jr. High School. The flexibility of the PRUD overlay zone allows the developer to address the isolated nature of the property with the detached and attached units that cater to an "empty nester" demographic. The combination of detached and attached units with surrounding common areas, and the connection with the Barlow PRUD to the south, provides more opportunity to preserve open space and walkways connecting to Kay's Creek compared to a traditional subdivision.

The General Plan recommendation for this area of the City is for single family residential generally under the guidelines of the R-S zone. The proposed R-S/PRUD zone is consistent with this recommendation, with the final density and number and configuration of units determined with the preliminary plan after review and recommendation of the Design Review Committee (DRC). Upon annexation and rezone to R-S/PRUD, the applicant will pursue the development of a residential subdivision under the provisions of the PRUD ordinance.

The developer, Ovation Homes, is proposing to develop 43 lots/units on 13.66 acres, which is a density of 3.15 units per acre. This would require the developer to achieve a 26% density bonus based on the design options outlined in the PRUD ordinance. The unit types are a mix of detached cottage homes, large lot single family and attached single family. Of the overall 43 units, 23 detached cottage homes are located in the central portion of the project with eight single family lots ranging in size from 12,451 to 19,362 square feet on the north portion of the site. The remaining 12 units are configured in four three-plex buildings located at the south end of the site where the project connects with the Barlow PRUD. All residential homes will be very similar to other Ovation Homes projects, and the basic architecture and building material requirements from the other projects are outlined in the Annexation Agreement.

The Neville PRUD connects to the south into the Barlow PRUD. Both projects are being developed by Ovation Homes. The majority of the proposed homes on the Neville property are single family (31) located on the north and central portions of the site. The southern portion of the site contains 12 attached units (four 3-plex buildings) that blend in with the 29 attached units proposed on the Barlow property. The PRUD ordinance has a required base open space percentage of 30% for detached unit projects and 50% for attached unit projects. Combined, both projects together should have a base open space percentage of 40%.

For the purpose of calculating open space, the Neville and Barlow properties will ultimately be developed as one coordinated 21.66-acre project. Presently, the two projects combined have an initial overall open space percentage of 38.82%. The following unit count and open space calculations depict an analysis of the two projects combined based on project boundaries and based on boundaries of the detached/attached unit areas.

	Acreage	Detached Units	Attached Units	Total Units	Open Space Acres / %
Neville PRUD	13.66 acres	31	12	43	3.06 Acres / 22.40%
Barlow PRUD	8.00 acres	0	29	29	5.35 Acres / 66.88%
OVERALL	21.66 acres	31	41	72	8.41 Acres / 38.82%

	Acreage	Detached Units	Attached Units	Total Units	Open Space Acres / %
Detached	11.50 acres	31		31	2.05 Acres / 17.83%
Attached	10.16 acres		41	41	6.36 Acres / 62.60%
OVERALL	21.66 acres	31	41	72	8.41 Acres / 38.82%

The above open space calculations indicate that an additional 1.18% of open space, or .26 acres, is needed in the Neville PRUD to achieve an overall open space percentage for both projects of 40%. This requirement is stipulated in the Annexation Agreement and is to be reflected on the preliminary plan for this PRUD. In addition, preliminary PRUD plan approval for this PRUD and the Barlow PRUD will be subject to a final base open space percentage of 40%.

The annexation/rezone area is located directly east of the preferred alignment for the right-of-way of the West Davis Corridor (WDC). The draft Annexation Agreement outlines the fencing/screening requirements along the West Davis Corridor. In addition, wetland mapping completed for the WDC study identifies an area of wetlands along the western edge of the annexation area. The preliminary PRUD plan will need to identify the location of any officially designated wetland areas that affect the site. Preliminary PRUD plan approval shall be subject to appropriate avoidance or mitigation plans approved by the U.S. Army Corp of Engineers.

The annexation plat meets the requirements of state law and the surveyed legal description has been reviewed by the Engineering Division with some corrections needed prior to the printing of the mylar plat for recordation. The City Council accepted and received certification of this annexation petition on June 16, 2015. State law requires a minimum 30-day "protest period" for all annexations beginning on the date the City Council receives certification of the petition. No protests were filed during the protest period. After the 30 days, the City Council holds a public hearing to review and approve the annexation. The public hearing before the City Council is scheduled for August 4, 2016.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to adopt Resolution 16-59 approving the Annexation Agreement and adopt Ordinance 16-21 approving the annexation based on consistency with the Annexation Plan. Staff also recommends that a positive recommendation be forwarded to the Council to adopt Ordinance 16-22 approving the rezone request to R-S/PRUD subject to the approved conceptual PRUD plan. This recommendation is based on consistency with the with the General Plan land use recommendation for this property, and with the conceptual PRUD plan requirements of Chapter 19.08 (PRUD Overlay Zone) of the Zoning Ordinance.

Marvin Guymon, 1665 W. 1960 N., asked what the fire hydrant water situation will be like or is there housing that would have a problem reaching the fire hydrants. Mr. Matson said there are no sprinkler systems in this project because these are all public streets that are running through the subdivision.

Commissioner Weaver asked if the irrigation companies are going to have a secondary water line that far west or is this going to be irrigated by culinary water. Mr. Matson said the City Engineering memo does refer to a proposed Kays Creek irrigation line in the future 1700 West. The developer will need to work with Kays Creek Irrigation to see if they are looking to extend the line far enough west.

Commissioner Weaver asked if this will be dry fit for secondary water. Mr. Matson said if it is eminent that the irrigation line will come west and would connect by the time development occurs in that area; then yes, but if the extension is not part of the master plan than that would not be the case.

Brad Frost, Ovation Homes, said if it's in the master plan then he will do it and it will be dry fit.

Commissioner Hansen said the Engineering Department said there is a proposed Kays Creek Irrigation line in the future 1700 West right of way. They will need to be contacted to determine if secondary water is available for this parcel.

Donald Neville, owner of property, said Stephenson Irrigation Company ditch ends right at the corner of Westside Drive and the corner of the northeast corner of his property is where the ditch ends.

Madam Chair Fitzpatrick brought this item back for three motions. Commissioner Hansen said for the first motion to forward a positive recommendation to the City Council to adopt resolution 16-59 approving the Annexation Agreement. Commissioner Weaver seconded the motion. All in favor. Voting was unanimous.

Commissioner Hansen made a second motion to forward a positive recommendation to the City Council to adopt ordinance 16-21 approving the annexation of approximately 12.23 acres based on consistency with the annexation plan. Commissioner Weaver seconded the motion. All in favor. Voting was unanimous.

Commissioner Hansen made a third motion to forward a positive recommendation to the City Council to adopt ordinance 16-22 approving the rezone of approximately 13.66 acres from A to R-S/PRUD based on the consistency of the General Plan use recommendations for this property and that they will resolve the open space requirement which currently sits at approximately .25 acre shortfall prior to the next time this item is on the agenda. Commissioner Weaver seconded the motion. All in favor. Voting was unanimous.

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

PUBLIC REVIEW

2. KATIE'S PLACE – CONDITIONAL USE FOR A SECOND DETACHED SIGN

This property is located at 1649 W. Antelope Drive in a PB (Professional Office) zoning district. The applicant and owner is Katie Bowden.

Mr. Rypien said the applicant, Katie Bowden, is requesting a conditional use for a second detached sign. A second detached sign on a corner lot (by definition this is a peninsula lot because it has street frontage along 3 sides) requires a conditional use permit in all commercial zones. The purpose of the sign is to help patrons identify the businesses that are located in the building as they enter the parking area.

The primary detached sign is located along Antelope Drive. It will be placed parallel to Antelope Drive because of the limited area between Antelope Drive and the building, which will affect its visibility. The sign will only have signage on the side that faces Antelope Drive. The sign will include an electronic message center that will also face Antelope Drive and not face the parking lot. Because the primary detached sign along Antelope Drive will only have one face, the second detached sign will help the patrons locate specific businesses in the building.

The property is zoned PB, which is limited to monument signs as the type of detached sign allowed in this zone. Monument signs may be illuminated. The second detached sign is 16.8 square feet in size, six (6) feet in height and four (4) feet wide from top to bottom.

Sign Regulations for Monument Signs

Height Limit - 6 feet above average grade

Minimum Setback - 5 feet from property line

Clear View Area - All monument signs shall be placed outside of all clear view areas.

Sign Regulations for a Second Detached Sign

Size Limit - Both signs combined have a maximum of 300 square feet. *The primary sign is 48.5 square feet and the secondary sign is 16.8 square feet. Combined they equal 65.3 square feet, which is below the maximum square footage allowed*

Separation between Detached Signs (Sign Ordinance 20.04.120 (e)) – The distance between detached signs shall be no less than two hundred (200) lineal feet. *This shall be waived because the property is a peninsula type lot and the second detached sign is on the opposite side of the property.*

Staff recommends approval of the second detached sign subject to the following conditions.

1. All required permits shall be obtained before construction begins.

2. The sign shall meet all City ordinances and staff requirements from the Fire Safety, Engineering and Planning Divisions.
3. The combination of both detached signs shall not exceed three hundred (300) square feet.
4. The 200 foot separation between detached signs on the same lot shall be waived because the lot is a peninsula type lot and the sign is on the south side of the lot.

Madam Chair Fitzpatrick said the sign on Antelope Drive will be past the building and was wondering if the applicant considered putting a sign on the front corner of the building.

Corey Bowden, applicant, 1649 West Antelope Drive, said as you drive east, UDOT has a big grey cylinder which along the north side of Antelope Drive UDOT still owns by the property.

Marvin Guymon, 1665 W. 1960 N., asked that the application be denied. The proposed placement of a second detached sign would be located on 1960 North per the aerial map displayed on the public notice. The requested sign would be a further distraction and an obstruction to drivers on 1960 North and 1690 West. Local residents of Camelot subdivision neighborhood traffic have already been negatively impacted by the commercialization of PB (Professional Business) zoning of this property. He suggested also that if the applicant wants another sign that it be placed on the building or adjacent to the building on the north side and that it be hung on the building and unlit. He also requested that a stop sign be placed at the exit of the applicant's parking lot to help regulate traffic exiting from the property onto 1960 North, which is a residential street.

Madam Chair Fitzpatrick asked if the sign on the south side is going to be lit. Mr. Rypien said he wasn't sure, but the applicant shook his head no. Mr. Rypien said the sign on 1960 is not illuminated. Mr. Bowden said the sign will not be lit because there is already a light pole there, which will help light up the sign. Also, there is no electricity to the second sign and they do not plan on adding electricity. The applicant said he is willing to paint the word stop on the driveway and is okay with installing a stop sign if needed.

Norma Allred, 1529 W. 1750 N. said she does not feel that the second sign on 1960 North is necessary and feels it is a hazard because it distracts from people driving down that street. She states that she does not have a problem with a sign being placed on Antelope Drive.

Lois Nielson, 1577 W. Camelot Drive, is concerned about the expansion of the parking lot and has seen nothing but destruction to the neighborhood. Commissioner Weaver said that she should take her thoughts to the City Council meeting.

Nate Redford, 1668 W. 1920 N., asked if there is a picture of the sign and size of the sign. He also stated that the building is creating a blind corner and feels the stop sign is necessary for the safety of everyone. Mr. Rypien said the sign is approximately 16 square feet in size. A picture of the sign was not shown parallel to the street.

Madam Chair Fitzpatrick said the sign will be parallel to the street not perpendicular.

Julie Gardner, 1771 N. 1690 W. said the purpose of the sign is not needed and would create havoc for traffic in all directions. She stated a right hand turn would be better than a stop sign. Madam Chair Fitzpatrick recommended that she should take her concerns to the City Council regarding the traffic issue.

Nicholas Mills, Assistant City Attorney, said the Planning Commission tonight is charged with one question and that is a conditional use on whether they install a second sign. All other concerns are beyond the scope of what the Planning Commission is looking at tonight. The only question for the Planning Commission is, are they going to allow a second sign? The way the law is written for a conditional use is if they can mitigate the impact of the sign then they should grant the second sign.

Lisa Tucker, 1635 W. Camelot Drive, wanted to know why the address on the notice stated they wanted a second detached sign at 1649 West when the address is 1960 West. Mr. Rypien said that is the property address off of Antelope Drive. She stated she does not want a sign there.

Madam Chair Fitzpatrick brought the item back for a motion. Commissioner Bodily made a motion to approve the second detached sign subject to Staff recommendations based on the discussion of the mitigations for the conditional use. Commissioner Weaver seconded the motion. All in favor. Voting was unanimous.

3. **HARMON ACCESSORY RESIDENTIAL DWELLING – CONDITIONAL USE**

This property is located at 930 Amethyst Street in an R-1-8 (Single Family Residential) zoning district. The applicant and owner is Kristi Harmon.

Mr. Rypien said the applicant, Kristi Harmon, is requesting a conditional use for an accessory residential dwelling. An accessory residential dwelling requires a conditional use permit in all single family residential zones. The purpose of the accessory residential dwelling is to allow her parents to live in the accessory residential dwelling.

An accessory residential dwelling is accessory to the primary structure, which in this case, would be the existing home.

Location of Accessory Residential Dwelling

A detached accessory residential dwelling is required to be placed behind the primary dwelling in the rear yard area. The detached accessory residential dwelling is required to meet the same minimum side yard setbacks as the primary dwelling. The minimum side yard setbacks for both the primary and accessory dwelling are eight (8) feet and ten (10) feet. Detached accessory residential dwellings are also required to be setback a minimum of six (6) feet behind the primary dwelling and a minimum of twenty (20) feet from the rear property line. The accessory residential dwelling meets all setback requirements. (See Site Plan)

Size of Accessory Residential Dwelling

Detached accessory residential dwellings are restricted to a maximum of 40% of the primary structure's living space up to 1,000 square feet with a maximum of two (2) bedrooms. The primary dwelling's living space is 2,014 square feet (40%= 805 square feet). The proposed accessory residential dwelling is 700 square feet, which is 35% of the primary dwelling's living space. It shall adhere to the same design guidelines as single family homes as outlined in Section 19.13.050 of Title 19, Layton Municipal Code.

Letter of Agreement

The applicant is required to sign a letter of agreement (see attached letter) that shall be recorded with the property. The letter of agreement must be signed and submitted to the Planning Division stating that the accessory residential dwelling will only be used by blood relatives of the property owners. The owner of the property must reside in either the primary or the accessory dwelling and it shall not be rented out to non-related persons. This letter of agreement shall be recorded against the lot in case the property owner sells the home and in order to make all future homeowners aware of the requirements of the accessory residential dwelling unit.

Staff recommends approval of the accessory residential dwelling subject to the following conditions.

1. The applicant / owner shall sign a letter of agreement stating that only blood relatives are to occupy the accessory dwelling and that it cannot be rented out to a non-related person. The letter of agreement shall also be recorded against the lot in case the property owner decides to sell the home so that future homeowners become aware of the use of the accessory residential dwelling unit.
2. The accessory residential dwelling shall not be used for a home occupation.
3. The accessory residential dwelling shall not exceed 805 square feet in living space and not have more than two (2) bedrooms.
4. All Building Division and Fire Department requirements shall be met before occupancy.
5. The applicant must complete all of the conditions prior to receiving the Final Inspection.

Commissioner Weaver asked about the parking requirements. Mr. Rypien said an accessory parking dwelling is required to have one parking stall based on the two bedrooms. Parking is allowed as long as the driveway is in front of the garage then it can be considered as a parking stall.

Madam Chair Fitzpatrick asked if the applicant was aware that she can't rent out that the accessory dwelling or use the accessory home for a home occupation business. Mr. Rypien said she is aware and she also knows that she is restricted on size.

Madam Chair Fitzpatrick asked if the applicant was aware that a letter of agreement will be recorded against the deed of the property. Mr. Rypien said yes he sent the packet to her.

Commissioner Bodily asked how this would be recorded. Mr. Mills said the City will attach a letter of intent. Mr. Rypien said we could attach her letter of intent to the site plan. In future sells the title report would provide this information.

Madam Chair Fitzpatrick brought this item back for a motion. Commissioner Van Drunen said he would recommend that the Planning Commission grant approval for an Accessory Residential Dwelling unit subject to meeting all Staff requirements. Commissioner Pilny seconded the motion. All in favor. Voting was unanimous.

4. WINDMILL SUBDIVISION PHASES 2A & 2B – FINAL PLAT

This 4.20 acre property is located at approximately 3425 W. 175 S. in an R-S (Residential Suburban) zone. The applicant is Cameron Scott with Destination Homes.

Mr. Weaver said on July 14, 2015, the Planning Commission approved the preliminary plat for the Windmill Subdivision. The applicant, Destination Homes, is requesting final plat approval for Phases 2A and 2B of the Windmill Subdivision. The two sub-phases are adjacent to agricultural properties to the north and east. R-S zoning and single family dwellings are located to the west and partially to the east with Phase 1 of the Windmill Subdivision. Parcels in unincorporated County are located partially to the east and south.

The final plat for Phase 2A will consist of 9 lots on 4.2 acres with a density of 2.14 units per acre. There will be a connection for accessing the subdivision through Phase 1 to 3200 West.

Phase 2B will consist of 19 lots on 8.4 acres with a density of 2.26 units per acre. Both sub-phases combined have a density of 2.2 units per acre for 28 lots on 12.6 acres. As with Phase 2A there will be a connection for accessing this phase through Phase 1 to 3200 West and there will be a connection made to the existing Island View Ridge Subdivision.

The two sub-phases of Phase 2 will be the last phases for the subdivision. This will also finish the connection of the utilities from 3200 West and looping to Overlook Drive in the Island View Ridge Subdivision.

All lots meet the R-S requirements for frontage and lot-averaged area.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the final plat for the Windmill Subdivision Phase 2 A and 2B subject to meeting all Staff requirements as outlined in Staff memorandums to the developer.

Madam Chair Fitzpatrick asked why they broke it into two phases if this is the final plat. Mr. Weaver said it is probably based on financing and recording.

Madam Chair Fitzpatrick asked if there will be a phase 3. Mr. Weaver said no.

Commissioner Hansen said the only outlet street to the west is the Overlook Drive, should there have been a connecting street coming out of the west subdivision going into this piece

of property around 60 South. For the future, when do they know that a stub street is an appropriate thing to do. Mr. Weaver said there is an ordinance that is required for block lengths for each zone and this was passed 4 to 5 yrs ago. The reason the stub streets are placed where they are is the future block lengths will determine the stubbed streets. With this subdivision it fit a grid pattern but you do have access off of 3200 West and a secondary access to Overlook Drive.

Mr. Hansen asked why there was no stub street in the subdivision to the west. Mr. Weaver said the previous ordinance allowed for a block length to be 1300 feet. When Island Overlook Subdivision was being designed they met the ordinance requirement, another stub street was not required.

Madam Chair Fitzpatrick brought this item back for a motion. Commissioner Pilny made a motion that the Planning Commission forward a positive recommendation to the City Council to approve the final plats for Windmill Subdivision Phases 2A and 2B subject to meeting all Staff requirements. Commissioner Hansen seconded the motion. All in favor. Voting was unanimous.

5. FIDDLER'S CREEK MEADOWS PRUD – PRELIMINARY PLAT

This 7.77 acre property is located at approximately 255 S. Fairfield Road in an R-1-6 PRUD (Single Family Residential – Planned Residential Unit Development) zoning district. The applicant is Jerry Preston.

Mr. Weaver said the applicant, Elite Craft Homes represented by Jerry Preston, is requesting preliminary plat approval for property that contains 7.4 acres of vacant land located east of Fairfield Road. Agriculture property is to the east, existing single family residential subdivisions are located to the north, south and west.

On April 21, 2016, the City Council approved the rezone of 7.4 acres from Agriculture to R-1-6 PRUD for the applicant/builder, Elite Craft Homes.

The applicant has slightly modified the layout and number of units from the conceptual plan to the preliminary plat. The conceptual plan was approved showing 31 single family detached units, the original conceptual plan had 41 attached units. The preliminary plat is proposing 30 single family detached units. The size of the units will range between 1,979 to 3,360 square feet.

The proposed streets in the PRUD development are to be public and will provide necessary connection with the subdivisions to the north and south. There will be one private drive that will give access to three units adjacent to the east boundary line of the development.

The following provides a summary of the key elements of the preliminary plat and PRUD plan. The key elements include the density of the overall project and DRC recommendations for architecture of the single family homes and landscaping/open space.

With the number of units being reduced to 30, the density of the PRUD becomes 4 units per acre on 7.4 acres. The 4 units per acre meet the base density of the R-1-6 zone and therefore no density bonuses are required for the 30 units.

The developer met with the City appointed Design Review Committee (DRC) to review the architectural concepts of the single family homes and the landscape/open space plans.

The DRC had the following recommendations to the Planning Commission and City Council.

- Wrap the front corner of the homes to the side with brick, rock and with a lintel for 18 to 24 inches.
- The house plans cannot repeat adjacent to each other. The architect will need to use color, mirror elevations and design elements on the front facades.
- Move a planned tree at the end of the private drive to allow for the snow storage that is being plowed from the private drive. The applicant has since changed the layout of the lots, which provides enough space for snow storage and tree plantings.

By ordinance, detached single family unit developments are required to have a minimum 30 percent landscaping/open space. The development is proposing 44.7 percent of landscaping/open space. Each home will be built on a pad with the area around the homes being common area and landscaped with grass and other plantings. Other common areas include the landscape buffer requirement along Fairfield Road, detention basin, and minor open pockets of open space.

A storm drain system is required to outfall into the subdivision detention basin located at the southwest corner of the development. The storm water will then meter into the storm drain line in Fairfield Road. By connecting the two existing subdivisions with the proposed in-fill development, the public street system is enhanced as well as the utilities. Looping the water lines will create better pressure for fire flow. A land drain system is required throughout the development, which is to be designed to meet City standards and is required due to shallow ground water.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the preliminary plat for Fiddler's Creek Meadows PRUD subject to meeting all DRC recommendations and Staff requirements as outlined in Staff memorandums to the developer.

Commissioner Van Drunen asked if the fencing was going to be similar. Mr. Weaver said they will plan on putting in Trex fencing that will match the existing fencing to the south.

Madam Chair Fitzpatrick asked when street lighting will be determined. She said hopefully there will be a street light somewhere on the private drive. Mr. Weaver said the City Engineering department typically will put lights on corners across from the private drive or on the private drive. There may be a street light put on the backend of cul-de-sac.

Madam Chair Fitzpatrick said the Fire Department said lots 21 and 22 will be sprinkled. Mr. Weaver said that was based on the old plan.

Commissioner Weaver asked if we should add a condition to identify lot 21 as requiring the sprinkler. Mr. Weaver said they will happen with the final plat.

Terry Tippetts, 687 N. Colonial Avenue, said the final survey on the property was not 7.4 but it was 7.77 acres which would give him more green space availability. He also thanked the Planning Commission for how hard they worked on this item.

Jason Sorensen, 1368 E. 275 S. thanked the Wiggill family for working with the community.

Madam Chair Fitzpatrick brought this item back for a motion. Commissioner Nilsson made a motion that the Planning Commission forward a positive recommendation to the City Council to approve Fiddler's Creek PRUD – Preliminary Plat subject to meeting all recommendations from Staff. Commissioner Bodily seconded the motion. All in favor. Voting was unanimous.

6. HARMONY PLACE SUBDIVISION PHASE 2 & 3 – FINAL PLAT

This 4.67 acre property is located at approximately 225 S. 2375 W. in an R-S PRUD (Residential Suburban – Planned Residential Unit Development) zoning district. The applicant is Dan Reeves with Perry Homes.

Mr. Weaver said the applicant, Perry Homes, is requesting final plat approval for Phases 2 and 3 of the Harmony Place PRUD. Phase 2 contains 4.67 acres located south of Phase 1 and east of the future elementary school site. Agricultural property is located to the east and west of this phase of Harmony Place; and the Villas at Harmony Place is located to the southeast.

Phase 3 contains 4.53 acres located at the southwest portion of the overall Harmony Place PRUD subdivision. The phase is south from the elementary school site and north of the required detention basin. Agricultural property is to the west and the Villas at Harmony Place PRUD is to the east.

On October 15, 2015, the City Council approved the overall preliminary plat for Harmony Place PRUD. Phase 2 is proposed to have 16 single family detached lots that will front onto the future Sunburst Drive (2425 West). The proposed density is 3.43 units per acre for this phase. Common areas will be located along the street frontages of 225 South and 2500 West.

Phase 3 is proposed to have 16 single family detached lots that will front onto Sunburst Drive and a cul-de-sac called Harmony Court (2575 West). The proposed density is 3.53 units per acre for this phase. Common areas will be located along the street frontage of 2500 West and at the end of the cul-de-sac, which provides access to the landscaped regional detention basin that counts towards a large percentage of the development's open space.

Phases 2 and 3 are important for the extension of the future infrastructure for this development and the future elementary school site. A storm drain system is required to outfall into the regional detention basin located west of the Villas at Harmony Place PRUD and south of the proposed Harmony Place PRUD. The City has been working with the applicant of Harmony Place PRUD and other developers in the Villas at Harmony Place PRUD to schedule the grass seeding of the detention basin and irrigation.

A land drain system is required throughout the development, which is to be designed to meet City standards and is required due to shallow ground water. A culinary water line and sewer line will be looped and connect with the development of the Harmony Place PRUD and the existing Villas at Harmony Place PRUD. The looping of the culinary water line will enhance fire flow pressure for both developments.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the final plats for Harmony Place PRUD Phases 2 and 3 subject to meeting all Staff requirements as outlined in Staff memorandums to the developer.

Madam Chair Fitzpatrick asked if there was a fence that was going to be required along the Elementary School. Mr. Weaver said it will remain open.

Commissioner Bodily asked if the front of the school will face the cul-de-sac. Mr. Weaver said it will face on an angle towards the stub street into Villas of Harmony Place.

Madam Chair Fitzpatrick asked where the fields will be. Mr. Weaver said the fields will be in the back by the City Park.

Commissioner Pilny asked if there will be a fence between the elementary school and the City park. Mr. Weaver said it will remain open.

Madam Chair Fitzpatrick brought this item back for a motion. Commissioner Bodily made a motion to the Planning Commission to forward a positive recommendation to the City Council to approve the final plats for Harmony Place PRUD Phase 2 and 3 subject to meeting all Staff requirements as outlined in the Staff memorandums to the developer. Commissioner Van Drunen seconded the motion. All in favor. Voting was unanimous.

7. VINEYARDS SUBDIVISION PHASE 4 – FINAL PLAT

This 1.87 acre property is located at 1200 N. 2200 W. in an R-1-8 (Single Family Residential) zone. The applicant is Chase Stevenson.

Mr. Weaver said On March 8, 2016, the Planning Commission approved the preliminary plat for The Vineyards Phase 4 Subdivision. The applicant, Elda Stevenson is requesting final plat review and approval. Single family homes are located to the west, north and east; remaining agriculture property is to the south.

The proposed development is to extend a stubbed street in Phase 3 east into Phase 4, which will back onto 2200 West. Phase 4 will be a cul-de-sac with six lots designed under the R-1-8

single family residential zone. Phase 4 is 1.87 acres in size, which creates a density of 3.2 units per acre.

All lots meet the area and frontage requirements of the R-1-8 zone. The Vineyards Subdivision was master planned knowing a cul-de-sac would be placed at the end of the east stub street.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the final plat for The Vineyards Phase 4 Subdivision subject to meeting all Staff requirements as outlined in Staff memorandums to the applicant.

Madam Chair Fitzpatrick brought this item back for a motion. Commissioner Van Drunen made a motion to the Planning Commission recommending approval to the City Council to approve Vineyards Subdivision Phase 4 – Final Plat subject to meeting all Staff recommendations as outlined in Staff memorandums. Commissioner Weaver seconded the motion. All in favor. Voting was unanimous.

ADDITIONAL DISCUSSION ITEMS:

Commissioner Hansen suggested that on the back of the citizen comments on the agenda to put what role the Planners, Commissioners and City Council have so that there is no confusion to the citizens.

Mr. Hansen gave heartfelt thanks to Peter Matson for the high caliber and sterling service to the City of Layton, City Council, Staff and the Commissioners and wish him well in his future endeavors.

Madam Chair Fitzpatrick said the Planning Commissioners have requested that Staff provide them with the percentage of single family to multi-family homes and are wanting that information as they move forward with future developments. Mr. Matson said they are currently working on providing that information.

Madam Chair Fitzpatrick asked for a motion to adjourn the meeting. Commissioner Nilsson made a motion to adjourn the meeting and Commissioner Pilny seconded the motion. All in favor. Voting was unanimous.

Meeting adjourned: 8:45 p.m.



Christy Wixom, Planning Commission Secretary