

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
AUGUST 9, 2016

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

MEMBER ABSENT: Daniela Harding

OTHERS PRESENT: Staff: Bill Wright, Kem Weaver, Weston Applonie, Christy Wixom, and Nicholas Mills

City Council Member:

PUBLIC HEARING

1. BASTIAN REZONE – R-1-10 TO C-TH

This .39 acre property is located at approximately 998 E. Gentile Street and is currently zoned R-1-10 (Single Family Residential) to C-TH (Condo/Townhouse) zoning district. The applicant is Mike Bastian.

Mr. Applonie said this property is located at the southeast corner of 1000 East and Gentile. The applicant, Mike Bastian, is representing the owner, Darlene Durham. The proposed rezone is to go from the R-1-10 to the C-TH zone. C-TH zone represents the applicants desire to construct one three-plex town house building as a transitional use from Gentile Street to the single family homes that are to the south. The applicant originally had an application for the R-2 zoning district but given the potential long term plans for widening Gentile Street he could not meet the setbacks proposed for the three plex. The City's Master Transportation plan calls for a future widening of Gentile Street at this location. The site approval for this property would be subject to the applicant setting aside the additional 37 feet of property for the future widening of Gentile Street. The zoning ordinance indicates that the Condominium Townhome zone allows for townhouses or other common wall residential buildings for more than two family units near City transportation corridors, which in this case is Fairfield Road and Gentile Street.

Commissioner Bodily asked what the time frame was for the widening of Gentile Street. Mr. Applonie said there is no time table. Commissioner Van Drunen said the last he heard it was five years but the City Engineer would like to have it done sooner.

Mr. Applonie said the Condominium Townhouse (C-TH) zone addresses such things as bulk, dimensional standards, height, setback, and density, as well as roof line variations and open space. If the zoning is approved a detailed site plan and landscaping plan will be reviewed by the Design Review Committee and Planning Commissions.

Commissioner Weaver said in the past they have tried to do away with the cookie cutter appearance, is there some way to encourage the applicant or the Sign Review Committee to put some architectural detail in there to break it up. Mr. Applonie said yes; this zone is design driven and can be asked of in the Design Review Committee meeting as it is being reviewed. The plan will come back to the Planning Commission for preliminary review.

Commissioner Van Drunen asked if the elevation of the buildings is 30 or 35 feet. Mr. Wright said it is 30 but they can go to 35 feet if they do underground parking.

Commissioner Van Drunen asked if 35% has to be landscaped. Mr. Wright said yes.

Commissioner Van Drunen asked if the 35% includes driveway. Mr. Wright said yes.

Commissioner Van Drunen asked who will maintain the 37 feet. Mr. Wright said we will work that detail out with the developer.

Mike Bastian, applicant, said his plan is to set aside the 37 feet until UDOT is ready to widen the road and they are ready to purchase it. Because he has dealt with UDOT before he is going to landscape it with grass and maintain the areas until UDOT is ready to purchase the property and widen Gentile Street.

Commissioner Nilsson asked if he was going to sell or rent. Mr. Bastian said rent.

Madam Chair Fitzpatrick said if this was taken back to the original request and they did the 37 feet what are the setbacks required for the R-2 zone. Why are we not sticking to the original zone if it will work? Mr. Bastian said the setbacks are 10 and 8 on the sides with a 15 foot separation between buildings. With the additional 37 feet for UDOT to come in and purchase, which would have been 10 to 15 feet too short of the 37 feet, this is why the change.

Madam Chair Fitzpatrick asked if there was another zoning designation where they could have them put in a triplex. Is there a variance that can be done with more traditional type zoning? Mr. Wright said Staff feels the zone fits for what is being purposed, another option is to go to the high density zone. Mr. Bastian said they looked at that but it was the side yard that was a problem and did not have adequate spacing.

Commissioner Van Drunen asked if anyone knew what side they were widening the road. Mr. Wright said not at this time.

Madam Chair Fitzpatrick asked Mr. Bastian what he was going to do with the open space. Mr. Bastian said he was going to fence it and have private patios for each unit.

Commissioner Nilsson asked if there was feedback from the local residents. Mr. Applonie said he received one call and they were just curious on what was being developed.

Madam Chair Fitzpatrick stated she is concerned that a lot of the ordinance is not being addressed. Mr. Wright said the intersection has been identified as a commercial node, it has a wide variety of high density housing, and the size fits to what Mr. Bastian is trying to accomplish. It is on an arterial street and the bike lane will not be on 1000 East but will be on Gentile Street and that will happen with the widening of Gentile.

PUBLIC REVIEW

2. ROBERT HALL LANDSCAPE BUFFER MODIFICATION

This property is located at approximately 80 E. Antelope Drive and in a PB (Professional Business) zoning district. The applicant is Robert Hall.

Mr. Weaver said the property owner Robert Hall has received notification that Antelope Drive is going to be restriped for two lanes in each direction with a center turn lane. Mr. Hall has a client in his building that twice a month has contractor meetings which brings a lot of people to the site. They have been parking on the shoulder of Antelope Drive. With the restriping of Antelope Drive this option goes away. Mr. Hall is requesting is to modify the landscape buffer on the east property line from 10 feet to zero feet in the area that is adjacent to the rear yard of the Adams home to the east. There will be a required retaining wall because the property does slope down from the Adams property; fence will be on top of the retaining wall. In place of the 10-foot buffer area will be six parallel parking spaces to accommodate the parking that is lost on Antelope Drive.

Commissioner Van Drunen asked if there were parking spaces taken out. Mr. Weaver said there was a handicap parking space on the south end and the rest was landscaping.

Madam Chair Fitzpatrick asked if the Planning Commission gave them a variance on the landscaping. Mr. Weaver said yes.

Commissioner Van Drunen asked if we did a landscape modification on the residential unit. Mr. Wright said yes on the south side.

Commissioner Weaver asked if the area in the corner was a trash container. Mr. Weaver said the plan is to have individual garbage cans for each tenant so the dumpster and enclosure will be removed.

Commissioner Weaver asked where the garbage cans will be located. Mr. Hall said they will be on the south end of the building, there is a small cement pad with two containers.

Madam Chair Fitzpatrick asked when and where the garbage cans will be taken to be dumped. Mr. Hall said on Wednesday mornings on Antelope Drive they will be set out to be picked up.

Madam Chair Fitzpatrick asked if there was any chance this could become condos and what would be the buffer setback. Mr. Weaver said any adjacent residential development would be difficult but there would be a setback requirement from the commercial zone property to the residential structures that were built on the adjacent property.

Commissioner Hansen asked if the Adams owned clear to Fort Lane. Mr. Weaver said no they own some property to the east of their home.

Madam Chair Fitzpatrick stated there was no fire memo in the packet. Mr. Weaver said he spoke with the fire department and they did not have any issues. Mr. Hall said the unit needs to be sprinkled.

Commissioner Hansen asked why we should allow a variance to accommodate a commercial need. Mr. Weaver said it helps with Mr. Hall's tenant or any future tenant.

3. **SANDY RIDGE TOWNHOMES SUBDIVISION AMENDED PLAT**

This property is located at approximately 3240 N. Fairfield Road in an R-M1 (Low/Medium Density Residential) zoning district. The applicant is Julian Gonzales.

There was no discussion on this item.



Christy Wixom, Planning Commission Secretary

(Please see other side)

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OTHERS PRESENT: Staff: Bill Wright, Weston Applonie, Kem Weaver, Nicholas Mills, and Christy Wixom

City Council Member:

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 Weaver.

APPROVAL OF MINUTES: JUNE 14, 2016, JUNE 28, 2016, AND JULY 12, 2016-Commissioner Bodily said on June 14, 2016 page 10 it stated 13 travel lanes, it should say 13 foot travel lanes. Then on page 13, June 28, 2016, it should be “then” not “than” where it states in the Fire department memo “if there is a change then the requirement would change as well.” Commissioner Weaver said on June 14, 2016 in work meeting it states Commissioner Weaver asked Mr. Mills if there would be an official declaration on the moratorium “for” and it says “of” instead of “for.”

Madam Chair Fitzpatrick brought this back for a motion. Commissioner Pilny made a motion to approve the minutes for June 14, 2016, June 28, 2016 and July 12, 2016 with the changes as mentioned. Commissioner Bodily seconded the motion. All in favor. Voting was unanimous.

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

PUBLIC HEARING

1. BASTIAN REZONE – R-1-10 TO C-TH

This .39 acre property is located at approximately 998 E. Gentile Street and is currently zoned R-1-10 (Single Family Residential) to C-TH (Condo/Townhouse) zoning district. The applicant is Mike Bastian.

Mr. Applonie said the property proposed for rezone contains .39 acres located on the south side of Gentile Street at 998 East (southeast corner of 1000 East and Gentile Street). The rezone area is just west of CP-2 zoned retail center where Baskin Robins is located. The rezone area is surrounded by R-M1 zoning to the north, CP-2 zoning to the east, R-1-10 zoning to the south, and R-1-6 zoning to the west.

The applicant, Mike Bastian, is proposing to develop one 3-plex townhome building under the guidelines of the C-TH zoning district.

The applicant for the rezone is Mike Bastian representing Darlene Durham, the owner of the .39-acre parcel. The proposed C-TH zoning represents the applicant’s desire to construct one 3-plex, townhome building as a transitional use from Gentile Street to the single-family homes to the south.

The applicant originally made application for the R-2 zoning district, but given the potential long-term plans to widen Gentile Street at this location, he could not meet the setbacks for the proposed 3-plex building.

The City's Master Transportation Plan (MTP) calls for the future widening of Gentile Street at this location. Site approval for this property will be subject to the applicant setting aside the north thirty-seven feet (37') of the property for the future widening. The Zoning Ordinance indicates that the Condominium/Townhouse (C-TH) zone allows for townhouses or other common wall residential buildings for more than two (2) families to be used near city transportation corridors and nodes. The intent of this zone is to create residential projects and neighborhoods that provide a variety of housing opportunities and choices that include a range of housing types. Condominium and townhouse projects are to provide convenient access to commercial uses and employment opportunities that are located in areas with existing, or probable future, multiple transportation choices.

The Land Use Element of the General Plan also indicates that medium density residential projects can be effective buffers or transitions from the busy arterial street to the interior single family neighborhoods.

The Condominium/Townhouse (C-TH) zone addresses bulk and dimensional standards such as height, setbacks, and density as well as roof line variations and open space. If the zoning is approved, detailed site and landscaping plans will be reviewed by the Design Review Committee (DRC) and submitted to the Planning Commission and the City Council for preliminary and final plan approval. The concept site plan included with this item shows one way the town homes could be laid out. With revisions from the DRC as well as preliminary and final reviews the site plan will be refined. Design elements will be carefully considered for the units to ensure the townhomes will blend in with surrounding neighborhood in an effective manner.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to adopt Ordinance 16-33 approving the rezone request from R-1-10 to C-TH based on the notion that the C-TH zone, and associated townhomes, will provide an appropriate land use and density transition from Gentile Street to the single family residential south of the subject property.

Madam Chair brought this item back for a motion. Commissioner Nilsson made a motion that the Planning Commission forwards a positive recommendation to adopt ordinance 16-33 approving the rezone request from R-1-10 to C-TH for the Bastian Rezone on 998 E. Gentile Street. Commissioner Bodily 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 Nilsson made a motion to close public hearing and open public review. Commissioner Bodily seconded the motion. All in favor. Voting was unanimous.

PUBLIC REVIEW

2. ROBERT HALL LANDSCAPE BUFFER MODIFICATION

This property is located at approximately 80 E. Antelope Drive and in a PB (Professional Business) zoning district. The applicant is Robert Hall.

Mr. Weaver said the applicant, Robert Hall, is requesting a modification to the required landscape buffer along the east property line of a professional office property. The property is surrounded by single family developments to the east, south and west.

The type of use requires a 10-foot landscape buffer when adjacent to single family residential. The applicant is requesting a modification of 10-feet to reduce the buffer from 10-feet to zero feet to accommodate six additional parking spaces along the east property line. Three of the existing deciduous trees will be removed for the six additional parking spaces. The owner will leave the existing fencing. The area proposed for the six parking spaces is highlighted in red on the attached photographs of the site.

The site meets the ordinance requirement for parking spaces. The purpose for six additional parking spaces is to accommodate a particular tenant. The City is expanding Antelope Drive from three lanes to five lanes with an updated striping plan that will eliminate on-street parking on Antelope Drive. The applicant has one particular tenant that holds subcontractor meetings once or twice a month that have used on-street parking on Antelope Drive for overflow parking.

The following items to support the modification of the landscape buffer are as follows:

- Additional off-street parking (six parking spaces) will prevent on-street parking on 25 West, which is the subdivision to the west.
- Removal of the south portion of the buffer along the east property line will not impact the minimum 10 percent landscape requirement for the site. Remaining landscape percentage will be 32 percent.
- Removal of the south portion of the buffer along the east property line will match the rear yard area of the residential property to the east. The rear yard to the east has large, mature trees.
- The most likely reuse or future use of the property to the east would be professional business, which would leave no landscape buffer requirement between the two properties.
- Up to a four foot retaining wall will be placed along the property line with the existing earth tone fence to be placed on the retaining wall adjacent to new parallel parking spaces.

The City's parking ordinance allows 10 percent of the spaces to be for small cars at 8'X18', which equals two of the proposed 22 parking spaces; and 5 percent of the spaces to be for motorcycles at 4'X8', which equals one of the proposed 22 spaces. The applicant is proposing a total of three spaces at 8'X18', which accommodates two small car and one motorcycle space with the motorcycle space being large as a small car instead of the smaller motorcycle-sized space.

Staff recommends the Planning Commission approve the landscape buffer modification from 10-feet to zero feet subject to keeping the 6-foot solid vinyl fence.

Commissioner Van Drunen asked if they needed to put the retaining wall in the motion. Mr. Weaver said you can include that in the motion.

Madam Chair Fitzpatrick asked how many parking spaces the applicant is purposing. Mr. Weaver said six parking spaces. The first three parking spaces are the 8 x 18 feet and three spaces at 9 x 20 feet.

Commissioner Weaver asked where Mr. Hall planned on putting the snow removal. Mr. Hall said the snow will have to go on the south side. Mr. Hall, 2146 E. 3450 N., stated that Mr. Harris does not have a problem with the snow being blown at the north end.

Commissioner Nilsson said when we offer this buffer modification did that open the east property line all the way to the street from the back of the property or is there an opportunity for us to say that by measurement purposes how far out that landscape buffer could be and then it reverts back to the original design. Mr. Weaver said yes.

Commissioner Nilsson asked Mr. Hall how he felt about trying to preserve those trees for future purposes. Mr. Hall said not sure he can prevent any future changes but would like to keep the trees. Commissioner Nilsson said if we propose the modification and come out as far as your parking needs to be and still give you what you need but not allow the modification to the street it leaves the remaining landscape buffer. Mr. Weaver said if the property is sold and someone wants to take out the remaining tree they will have to come before the Planning Commission.

Commissioner Hansen asked Mr. Hall what consideration he has given that as soon as you make this cut, what it will do to the root system and if that tree will even survive once the cut is made. Mr. Hall said it may force them to come further south and they may lose a parking space because the preservation of the tree is first and foremost.

Commissioner Hansen asked for the number of tenants was that could occupy this building. Mr. Hall said it is 1900 square feet for the office building and it is 1400 square feet for the building to the south. They are identical in each office and there are two offices and both are occupied. There are three tenants.

Commissioner Hansen said the primary tenant is forcing the issue on parking. Mr. Hall said yes and he found out that the Sunrise Hospice Company is expanding and they will have nurses that come in once a week for training. They will have to coordinate with BBH consulting because they both can't be bringing in people at the same time.

Commissioner Hansen asked how often the contractor meeting occurs. Mr. Hall said it varies depending on when they get a contract but probably once or twice a month.

Commissioner Hansen said when you are leasing your space to the tenants did you give adequate consideration with talking to the tenant for busting your parking stalls to the seams. Mr. Hall said he was not aware of the changes to Antelope Drive but most of the time he has adequate parking available but once in awhile parking can be difficult. However, for the safety and well being of clients and tenants he felt having this buffer modification is the best way to go.

Madam Chair Fitzpatrick said she counted 13 existing parking spaces. Where are you coming up with 22 parking spots. Mr. Hall said there are 16 spots which includes the handicap parking.

Commissioner Weaver asked if the plan was to stripe the parking spaces in front of the garage door. Mr. Hall said yes.

Madam Chair Fitzpatrick said she saw several pickups with the consulting firm, what kind of vehicles usually are brought to these meetings. Mr. Hall said a mixture of small cars and trucks. The employees have been asked to park in the parallel parking.

Madam Chair Fitzpatrick brought this item back for a motion. Commissioner Van Drunen made a motion that the Planning Commission approve the landscape buffer modification for Robert Hall from 10 feet to 0 feet subject to keeping the original height of the existing fence. Commissioner Bodily seconded the motion. All in favor. Voting was unanimous.

3. **SANDY RIDGE TOWNHOMES SUBDIVISION AMENDED PLAT**

This property is located at approximately 3240 N. Fairfield Road in an R-M1 (Low/Medium Density Residential) zoning district. The applicant is Julian Gonzales.

Kem said Sandy Ridge Townhomes is 16,278 square feet (.37 acres) and zoned R-M1. Adjacent subdivisions to the north are zoned R-1-8 and R-2, property to the east is zoned R-MH (residential mobile home park) and properties to the west and south are zoned M-1.

The applicant, Julian Gonzales, is representing the home owners in the Sandy Ridge Townhomes. The applicant is requesting a plat amendment to change the name of the plat and development. The current name is "Affordable Land Lease Townhomes", which was platted under the All Home housing assistance program. The name being requested is "Sandy Ridge Townhomes".

State Law requires that when the name of a plat is changed or altered, the plat needs to be amended through the typical plat amendment process. Therefore, the name change is to be reviewed and recommended by the Planning Commission and then forwarded to the City Council for approval.

The remaining information on the amended plat does not change. Based on the Engineering memo there are some minor items that need to be addressed with the amended plat.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the plat amendment for Sandy Ridge Townhomes subject to meeting all Staff requirements.

Madam chair Fitzpatrick brought the item back for a motion. Commissioner Bodily made a motion that the Planning Commission forwards a positive recommendation to the City Council to approve the plat amendment for Sandy Ridge Townhomes. Commissioner Hansen seconded the motion. All in favor. Voting was unanimous.

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

Meeting adjourned: 7:37 p.m.



Christy Wixom, Planning Commission Secretary