LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
AUGUST 23, 2016

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

MEMBER ABSENT: Wynn Hansen

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

City Council Member:

Mr. Wright gave a brief discussion on the construction on Hill Field Road.

PUBLIC HEARING

1. **DESTINATION HOMES ANNEXATION**
   This annexation is 14.58 acres and is located at approximately 1050 South Angel Street. No zoning change is proposed at this time, property will remain zoned A (Agriculture). The applicant is Destination Homes.

   Mr. Rypien said in the future they will be required to go through the rezone process but at this time they are just annexing the property.

   Commissioner Weaver asked when the date ends to challenge the annexation and has the City received any challenges. Mr. Rypien said it will end on August 26, 2016 and there have not been any challenges. Mr. Wright said it is scheduled for City Council on September 1, 2016.

   Commissioner Weaver asked if there was an annexation agreement. Mr. Wright said sometimes there is an annexation agreement but Staff felt at this time there was nothing major that would warrant a annexation agreement.

   Commissioner Van Drunen asked about the trails. Mr. Wright said the trail would be part of the rezoning and PRUD development.

   Madam Chair Fitzpatrick asked if they can move forward with the development plan since there is a FEMA flood plain issue. Mr. Wright said they may have restrictions but they can move forward, but will have to work out all the issues.

   Commissioner Harding asked if they will have secondary water. Mr. Wright said it is in the process right now and that would be determined as part of the Development Agreement.

   Commissioner Nilsson asked why the property line crosses over Angel Street. Mr. Wright said it does not cross over Angel Street. There is a little piece of Angel Street that was left in the County jurisdiction years ago but the City will figure it out with the combination of the annexation and an agreement between the County. The County will deed it over to the City.

PUBLIC REVIEW

2. **9 STAR – CONDITIONAL USE FOR A SECOND DETACHED SIGN**

This property is located at 1971 North Hill Field Road in an CP-2 (Planned Community Commercial) zoning district. The applicant is Robert Bessenbacher.

Mr. Rypien said the applicant's existing sign is on Hill Field Road and does not have a lot of visibility along Antelope Drive. Since the property is a corner lot it allows them to have two detached signs. There is a 20 foot height limit and the minimum set back requirement of two feet from the leading edge of the sign. There is a 10 foot minimum sign clearance for a detached pole sign because of the limited height as well as the sign is not in a pedestrian walkway, the Community and Economic Director, Bill Wright can reduce the clearance requirement. The clearance is 7 feet 4 inches and it also meets the separation requirements. When there are two detached signs on the property there is a separation requirement which is 200 feet and they are at 300 feet.

Commissioner Harding asked if the proposed sign for the conditional use would meet the requirements for LED and wanted to make sure that it was not too bright. Mr. Rypien said it will be like the existing sign that is already there.

Commissioner Van Drunen asked if they could put in a electronic message sign in the future. Mr. Rypien said yes.

Commissioner Nilsson asked if there was a footage separation or allocation for the size of the lot. Mr. Rypien said if it is a corner lot, they can have 2 detached signs by default. The sign size is based on lineal street frontage and that will determine how large the signs can be.

3. **FORT LANE BEANS AND BREW – CONDITIONAL USE**

This property is located at 100 South Fort Lane in a CP-2 (Planned Community Commercial) zoning district. The applicant is Thackary/Garn Company.

Mr. Weaver said this is a coffee shop and fast food use. Half of the building will be used by the coffee shop and the other half will be used for a future tenant which will be retail. The building is 3,415 square feet.

Commissioner Nilsson asked if the drive thru window will be on the west side. Mr. Weaver said it will be on the south side and there will be queuing on the west side. There will be a menu board on the west side of the building.

Mr. Weaver said they have enough room to que 6 vehicles with the seventh vehicle being at the window, which meets the ordinance requirement.

Commissioner Van Drunen asked if there is something that will tie this whole development together. Mr. Wright said that has not all been figured out.

Commissioner Van Drunen said they want to xeriscape and Zion's Bank is not xeriscape, can we encourage xeriscaping so that the landscaping ties everything together. He feels we should be encouraging a way to tie the entire development together. Mr. Weaver said that in the landscape plan they are proposing most of it to be xeriscape; however, there is an ordinance that requires at least 25 percent of the frontage to be grass or sod. Madam Chair Fitzpatrick is concerned due to how the weather has been that sod is not a good idea. Mr. Wright said Staff can encourage xeriscaping at the site plan review.

Commissioner Harding asked if light pollution will be an issue where the pickup window is located. Mr. Weaver said it could, there is a condition number four which states to plant a species of tall shrubs between the drive through and Fort Lane to block headlights from shining into residential homes.

Commissioner Van Drunen asked why they didn't do any outdoor seating. Mr. Weaver said because of space constraints.

Commissioner Weaver asked if the Commissioners should make it a condition that they can't do outdoor seating. Mr. Wright said he would not recommend that.

Commissioner Nilsson asked if they chose to do outdoor seating would it come back to the Planning Commission. Mr. Weaver said no.

Commissioner Nilsson asked if there were enough parking spots. Mr. Weaver said the site is required to have 26 to 34 parking spaces and the site is proposing 26 spots.

Madam Chair Fitzpatrick said in the Engineering memo it says the parcel is part of a larger parcel of the Fort Lane Village Amended Plat. Parcel 4 will need to be split with meets and bounds descriptions. Do we need to see this as a parcel split or is this handled internally? Mr. Weaver said this is handled by City Staff.

Commissioner Van Drunen asked how the sign will be set up. Mr. Weaver said it is a separate parcel so they could have one detached sign but has not seen the sign package yet.

Commissioner Bodily asked if the owner had any interest on the other side of the building. Mr. Weaver said no.

Commissioner Van Drunen said he encourages using the one sign.

Commissioner Van Drunen asked if the UTA bust stop will stay where it is located and how will it work if they decide to put a bench there. Mr. Weaver said yes the bus stop will stay where it is located and if UTA decides to put in a bench, the City will work with them.

Commissioner Van Drunen asked why there was no sidewalk between Zion's Bank and the private road. Mr. Weaver said that was a good point and he will check on it.

Commissioner Weaver said on number 6 in the fire memo report it says the square footage total does not require fire sprinklers. However, if occupancy load is greater than 100, a fire sprinkler system shall be imposed. How will we know if the occupancy is going to be greater than 100? Mr. Weaver said they may have to be less than 100 per building code and that will be inspected by our building official.

Commissioner Van Drunen asked if there was a time table on this project. Mr. Weaver said they are anxious to get going so probably will start in the fall.

Commissioner Van Drunen asked what the ordinance was on sound. Mr. Weaver said the menu board is located on the back of the building; it should not affect the residential area too much.

Commissioner Harding asked what the requirement was for the street lot parking light. Mr. Wright said they decided to do the lighting in a comprehensive way which will be determined by the Engineering department.

4. **BARLOW WEST – PRELIMINARY PLAT**
This property is located at 1700 West Weaver Lane in an R-S PRUD (Residential Suburban – Planned Residential Unit Development) zoning district. The applicant is Ovation Homes.

Mr. Weaver said back in March of 2016 the City Council approved the annexation and rezone of 8.47 acres to be rezoned to the RS PRUD. This would require that the developer needed to achieve a 37 percent density bonus based on 29 units, which creates a density of 3.42 units per acre. The R-S zone is 2.5 units per acre as a base density.

Madam Chair Fitzpatrick asked if the driveway width can touch each other and if not what kind of space needs to be between them. Mr. Frost said no they can't touch each other and the space is approximately 15 to 16 feet.

Madam Chair Fitzpatrick said the Parks memo states that the property fronting onto Weaver Lane there needs to be maintained landscaping so if it is natural grass and wildflowers does that fit the definition of maintained landscaping. Mr. Weaver said yes but the Parks Department is looking for more sod. Commissioner Van Drunen suggested doing rock and forget the sod. Mr. Wright said that is an option.

Commissioner Weaver asked if there was any parking set aside for the trailhead. Mr. Wright said the trail is on the south side.

Madam Chair Fitzpatrick asked how the people who own the land will get to their land. Mr. Wright said possibly at 200 North in Kaysville.

Commissioner Nilsson asked if these were patio homes. Mr. Frost said no they are slab on grade.

Commissioner Weaver said if the price is right you may have anyone trying to get into these homes. Mr. Frost said they have CCR's that restrict who can buy them.

Commissioner Harding asked what the price range was and square footage. Mr. Frost said the price range is between $230,000 to $240,000. The detached product will be around $295,000 to $350,000 and the square footage is 1,537.

5. **MARGETTS PARK – PRELIMINARY PLAT**
This property is located at 150 Phillips Street in an R-1-6 (Single Family Residential) and R-S (Residential Suburban) zoning districts. The applicant is MZ Enterprises.

There was no discussion on this item.

Christy Wixom, Planning Commission Secretary

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MEMBERS ABSENT: Wynn Hansen

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 7:00 p.m.

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

George Wilson was sworn in by Christy Wixom as an alternate Planning Commissioner.

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

PUBLIC HEARING

1. **DESTINATION HOMES ANNEXATION**
   This annexation is 14.58 acres and is located at approximately 1050 South Angel Street. No zoning change is proposed at this time, property will remain zoned A (Agriculture). The applicant is Destination Homes.

   Mr. Rypien said this is part of the Layton City Annexation plan. The property is able to be serviced by utilities on city roads. The property when annexed typically includes a rezone, since it only includes the annexation the default zone is agriculture. Staff recommends that the Planning Commission forwards a positive recommendation to City Council to adopt ordinance 16-37.

   Nancy Christensen, 934 W. 600 S., wanted to know why Destination Homes wants to annex at this time. Cameron Scott, 67 S. Main Street, said they are annexing the property for development and anticipate on being able to develop it sometime in the next year. They are currently working on the performa and are getting more information on the flood plain and how that will affect the property.

   Commissioner Weaver asked what product Mr. Scott was thinking about putting in. Mr. Scott said they have not designed it yet because it depends on the density they can get approved, we are looking at single family smaller lots and not townhomes.

   Ms. Christensen said she was told that the property was supposed to be a park because the City did not keep enough green space in the area and was wondering if that is the reason they are trying to annex. She stated that area would benefit from having a park located there rather than more homes. Commissioner Bodily asked who told her it would be a park. Mr. Scott and Mr. Wright both said they had not heard of a plan to build a park.

Madam Chair Fitzpatrick brought the item back for a motion. Commissioner Van Drunen made a motion that the Planning Commission forward a positive recommendation to the City Council to adopt ordinance 16-37 approving Destination Homes Annexation subject to meeting all staff requirements as outlined in memorandums. Commissioner Harding 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 Bodily made a motion to close public hearing and open public review. Commissioner Weaver seconded the motion. All in favor. Voting was unanimous.

PUBLIC REVIEW

2. **9 STAR – CONDITIONAL USE FOR A SECOND DETACHED SIGN(Brandon)**
This property is located at 1971 North Hill Field Road in an CP-2 (Planned Community Commercial) zoning district. The applicant is Robert Bessenbacher.

Mr. Rypien said the applicant; Brian Bessenbacher is representing Hill Field-Layton Convenience Store, Corp. also known as Nine 9 Star. He is requesting a conditional use for a second detached sign. A second detached sign on a corner lot requires a conditional use permit in all commercial zones. The purpose of the sign is to advertise to patrons that are traveling on Antelope Drive.

The primary detached sign is located along Hill Field Road and is oriented towards Hill Field Road. The second detached sign will be located along Antelope Drive and will be placed near the west ingress/egress. The second detached sign will match the existing detached sign as far as style and size.

The property is zoned CP-2, which allows pole signs as a type of detached sign. The second detached sign is 90.4 square feet in size, twenty (20) feet in height and has a pole width of one and a half (1.5) feet wide from the base of the pole to the bottom of the sign. It has a clearance of 7 feet 4 inches from the average grade to the bottom of the sign.

Height Limit - 20 feet above average grade

Minimum Setback - 2 feet from property line to leading edge of sign

Clear View Area - Pole signs are allowed to be within the clear view area as long as the width of the pole is less than two (2) feet wide. The pole width is one and a half (1.5) feet wide.

Sign Clearance - Pole signs have a 10 foot minimum clearance from average grade to the bottom of the sign. *The Community and Economic Development Director may reduce the clearance if the sign is not illuminated with exposed neon tubing and is located in an area not accessible to pedestrians or vehicular traffic. The proposed location is in a landscape buffer and is setback from the sidewalk.*

Size Limit - Both signs combined have a maximum of 300 square feet. *The primary sign is 70.6 square feet and the secondary sign is 70.6 square feet. Combined they equal 141.2 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. There is over 300 feet between the signs.

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. *The clearance exception is approved by the CED Director.*

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 met.

Madam Chair Fitzpatrick asked if they are only at 141 square feet and they can go to 300 square feet, in the future can they make bigger signs. Mr. Rypien said with any significant change they would need a conditional use amendment, with a 20 foot height limit he does not see them making it wider.

Madam Chair Fitzpatrick brought this item back for a motion. Commissioner Bodily made a motion that the Planning Commission approves the conditional use for the second detached sign for 9 Star with the conditions noted in the Staff requirements. Commissioner Pilny seconded the motion. All in favor. Voting was unanimous.

3. **FORT LANE BEANS AND BREWS – CONDITIONAL USE**
This property is located at 100 South Fort Lane in a CP-2 (Planned Community Commercial) zoning district. The applicant is Thackary/Garn Company.

Mr. Weaver said the property being requested for a conditional use permit is located at 100 South Fort Lane. The property is located north of Zion's Bank and south of Gentile Street.

The conditional use area has CP-2 zoning to the south, west and north. Across Fort Lane to the east are PB (Professional Business) and R-2 (Single and Two Family Residential) zones.

The applicant, Kevin Garn, is requesting conditional use approval for a fast food eating establishment. The proposed use is a coffee shop with a drive through and indoor seating.

The property to be redeveloped is currently vacant and is part of the Fort Lane Village commercial center. The proposed commercial building will have a size of 3,415 square feet. Beans and Brew will be located on the south half of the building with a future tenant to occupy the north half of the building. Beans and Brew is proposing a drive through that will be located on the west side of the building and then wrapping to the south side of the building to a drive up window. The drive through queue will accommodate six vehicles with a vehicle at the drive through window.

The architecture and design of the commercial building will incorporate earth tone colors with different shades of tans and browns. A mauve brick will accent the front and sides of the building with the rear of the building being the mauve brick. Awnings will be incorporated over the glass treatments on the front of the building and the south side of the building over the drive through window. Parapet walls will be used at the front and sides of the building to create a change in the roof line of the building.

City ordinance requires one parking space for every 100 square feet of interior floor area. The interior floor area is 1,708 square feet, which will require 17 parking spaces. Depending on the type of use to occupy the north half of the building, the parking may range from 9 to 17 parking spaces. The site is

required to have 26 to 34 parking spaces; the site is proposing 26 parking spaces. There are cross access easements and shared parking opportunities with the commercial development.

The applicant has submitted a landscape plan for the site. City Staff has reviewed the plan based on the landscaping section of the City Code. Street trees will be required along Fort Lane and throughout the site. The proposed landscape plan is a xeriscape form of planting trees and shrubs. However, the street landscaping needs to provide for 25 percent grass and not rock mulch. The plan will need to be adjusted to reflect this requirement. In addition, a species of tall shrubs will need to be planted between the drive through and Fort Lane to mitigate the headlight glare from waiting vehicles using the drive through. This will reduce the negative impact of headlights shining into residential homes across Fort Lane. Landscaping is being addressed through site plan review.

Staff recommends the Planning Commission approve the conditional use permit for the Beans and Brew subject to the following conditions.

1. Meet all Building Division, Engineering Division, Planning and Fire Department requirements.

2. Meet all requirements as outlined in the City Code for fast food restaurant development for site plan review.

3. Signed cross access easement agreement with adjacent property owner, required at final site plan approval.

4. Plant a species of tall shrubs between the drive through and Fort Lane to block headlights from shining into residential homes.

Commissioner Nilsson asked if there was a formal agreement between the applicant and Winco for the additional parking. Mr. Weaver said part of it is ownership but it has also been recorded on the plat as having cross access easements and that is how the development can facilitate the shared parking.

Commissioner Bodily asked about the outdoor seating. Commissioner Weaver asked about the parking calculation in which every 100 square feet of building requires one parking spot. If a patron goes in and sits outdoors, then the calculation for the parking gets missed. Commissioner Weaver wanted to know if there was a plan to have outdoor seating on either side of the building. Dan Vanzeben, 4067 N. Juniper Lane, said there is no plan for outdoor seating. They do have a walkway on the north side of the property that goes out to Fort Lane and comes into the development. The walkway continues past the trash area with some painting and cross walk elements that allow for the cross accessing. As things develop more there may be some type of outdoor seating to accommodate the various activities. There is a parking access agreement for this development as part of the agreements for each of the entities for purchasing property to develop or will be doing a rental or a lease type of situation. The relationship with Winco and the cross access easement do exist. Developing commercial subdivision in Layton City allows parcels to be created through metes and bounds, when the project is built out the plat will be updated.

Commissioner Weaver said condition three is a non issue because there is a cross access agreement in place. Mr. Vanzeben said yes and will provide the agreement when they submit drawings and documents for permits.

Commissioner Van Drunen asked if the sidewalk on the south side of the building was being considered. Mr. Vanzeben said they had originally planned on putting in the sidewalk where it is now but because of

the site, location and road it goes along the most prominent access road from this site through Fort Lane to Gentile Street.

Commissioner Van Drunen said the north portion of the private street will link with Wasatch. Mr. Vanzeven said because there is wider space between the drive thru curb and the roadway they are open to bringing the access over onto the south side.

Mr. Van Drunen asked if they were going to be adding a detached sign or were they going to be part of the subdivision sign. Mr. Vanzeben said they are not planning on adding detached sign for the site.

Commissioner Bodily asked if the name will be on the building. Mr. Vanzeben said yes.

Mr. Vanzeben said he has reviewed all items from staff reviews and did not see anything that they would not be accomplishing. They are working with the civil engineer to complete all of the grading, roadway and utilities along the major access road where the utilities will be in between this building and CVS pharmacy.

Madam Chair Fitzpatrick asked when they were looking at going forward with this project. Mr. Vanzeben said just as soon as they can get the documents and providing that they get approval tonight, possibly in the next couple of weeks.

Commissioner Harding asked Mr. Vanzeben had any idea of who the tenant might be on the other side. Mr. Vanzeben said no, what they are doing with the design of the building is they are going to sprinkle the building for fire protection.

Commissioner Nilsson asked what the seating capacity was. Mr. Vanzeben said he was not sure.

Commissioner Harding asked what they would plant to help with the light pollution issue. Mr. Vanzeben said normally what they do is put some kind of conifer that is low lined ground species that is evergreen so that it can block the light.

Johan Vanzeben, 4067 N. Juniper Lane, because plants have requirements they would have to look at the types of plants they could put in there. They will put in the idea of adding some sod.

Commissioner Weaver asked if there will be any traffic conflict from the drive thru at the pharmacy and this development. Mr. Weaver said no there shouldn't be any conflict.

Commissioner Van Drunen said if they are going to xeriscape then the whole development should be xeriscaped.

Madam Chair Fitzpatrick brought the item back for a motion. Commissioner Pilny made a motion to approve Fort Lane Beans and Brews conditional use subject to the conditions outlined in the staff report. Commissioner Bodily seconded the motion. All in favor. Voting was Unanimous.

4. **BARLOW WEST – PRELIMINARY PLAT**
This property is located at 1700 West Weaver Lane in an R-S PRUD (Residential Suburban – Planned Residential Unit Development) zoning district. The applicant is Ovation Homes.

Mr. Weaver said the applicant, Ovation Homes represented by Brad Frost, is requesting preliminary plat approval for property that contains 8.47 acres of vacant land located north of Weaver Lane. Recently

annexed vacant property is to the east and north, unincorporated county is to the west and R-S PRUD zoning is to the south with Kay's Creek Estates.

On March 17, 2016, the City Council approved the annexation and rezone of 8.47 acres to R-S PRUD with an associated annexation agreement for the applicant/builder, Ovation Homes.

The developer is proposing to develop 29 units on 8.47 acres, which is a density of 3.42 units per acre. This would require the developer to achieve a 37 percent density bonus based on the design options outlined in the PRUD ordinance. The unit types are attached single family with a single story. The overall 29 units have frontage onto a future public street that travels through the center of the development and provides a connection to the vacant property to the north. Of the 29 attached units, 21 attached units will be designed as three-plex buildings, 8 attached units will be designed as four-plex buildings. Although the units are proposed to be attached, all residential homes will be very similar to other Ovation Homes projects.

The vacant Neville property to the north of this proposed development has recently been annexed into Layton City with the same zoning designation of R-S PRUD by the same applicant, Ovation Homes. City Staff has provided Map 3 as part of the Planning Commission packet showing the overall layout of the proposed Barlow West PRUD and Neville PRUD developments. The Neville PRUD may in the future have the same name as Barlow West PRUD. With the combination of the two PRUD developments, the overall development will meet the base open space requirement of 40 percent.

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 29 units, the density of the PRUD becomes 3.42 units per acre on 8.47 acres. The 3.42 units per acre are 1.22 units per acre above the base density of a lot averaged R-S zone. Therefore, a density bonus of 37 percent is required for the 29 units.

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

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

- Continue to break up the roof lines with gables as shown on the plans.
- Easily visible side building elevations need to use brick to break up the stucco wall. This only applies to the side of units 1, 19, 20 and 29.
- All other side building elevations that are not as visible need to have, at minimum, a brick wainscot wrapping the front corner of the units for 1.5 to 2 feet.
- Create street enhancements along the public street where open space fronts onto the street. This can be in the form of berms, meandering sidewalk, trees and benches.
- Provide more building undulation with the use of architectural pop-outs.
- Build the City trail with the addition of trees adjacent to the trail.
- Add a trail with benches and trees from the north end of the public street behind Units 20 to 29 and then connect to the Kays Creek Trail.

The developer has incorporated these recommendations as part of their plan re-submittal for building elevations and the landscape/open space plan. These plans are part of the Planning Commission packet.

The following is a breakdown of the density bonus that is being recommended by the DRC to the Planning Commission and City Council. The developer needs to achieve a 37 percent density bonus.

- 10 percent – for additional open space.
- 10 percent – having more than 75 percent of the units be of masonry materials.
- 10 percent – the use of site amenities through the open space, which include: benches, picnic areas, pavilions, pickle ball courts, etc.
- 10 percent – for street enhancements in the open space locations, which include: meandering sidewalks, benches, berming and trees.
- 5 percent – creating an additional trail from the north open space areas to the Kays Creek Trail.

Adding the density bonuses, the PRUD development has achieved a 45 percent density bonus based on the DRC review and recommendations.

By ordinance, attached single family unit developments in the R-S zone are required to have a minimum 40 percent landscaping/open space. The development is proposing 66.88 percent of landscaping/open space. Each three and four-plex will be built with the area around the units being common area and landscaped with grass and other plantings. Other common areas include Kays Creek and corresponding flood plain area as determined by FEMA and the maintained landscaping along Weaver Lane.

A storm drain system is required to outfall into the subdivision detention basin located behind Units 20 through 29 and adjacent to the west boundary of the development. The storm water will then meter into Kays Creek. 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.

With the approval of the annexation and rezone, the Planning Commission and City Council approved a conceptual plan that is different than the plat being presented for preliminary approval. The concept plan has been modified with regards to lot layout and the use of public and private streets.

The approved concept plan showed the same 29 lots as the proposed preliminary plat. The layout for the concept plan showed nine single family residential lots for detached homes along the east boundary of the development. The remaining 20 units were attached in a combination of two, three and four units per building. Two units were fronting Weaver Lane, seven were located on the east boundary, four fronted the west side of the public street and the remaining seven fronted onto a private drive (see the attached concept plan).

The preliminary plat shows the private street being removed with all 29 attached units fronting onto a public street and no units fronting onto Weaver Lane. The detached single family lots are not a part of the preliminary plat; however, the Neville property to the north will incorporate the detached single family lots. The preliminary plat does meet the annexation agreement requirements that were incorporated into the concept plan.

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

Commissioner Nilsson asked if the secondary water has been addressed. Mr. Weaver said they will have access to secondary water.

Commissioner Nilson asked if there were any plans for any fencing. Mr. Weaver said they are proposing a trex fence along the west boundary.

Commissioner Bodily asked how far up the Kaysville way will they be connecting to. Mr. Weaver said 200 North will be a connection for Weaver Lane in the future.

Commissioner Weaver said on the front elevations there are some architectural differences, will there be any color differences? Brad Frost, owner of Ovation Homes, said typically they have the same color scheme and most of time they look better when they are consistent.

Madam Chair Fitzpatrick asked if there was any recommendation from the Design Review Committee. Mr. Frost said no.

Commissioner Nilsson asked if Mr. Frost has considered the fact the future homeowner may be more on the younger side. Mr. Frost said in the restrictive covenants it will be 55 and older. In this age group folks seem more concerned with interior than exterior design elements.

Commissioner Harding asked if there will be an HOA incorporated into the subdivision and what sort of amenities is Mr. Frost planning with the 40 percent open space. Mr. Frost said yes they are planning on having an HOA. Mr. Frost said 66 percent open space is what they are landscaping with some trees.

Commissioner Pilny asked if the HOA will be taking care of all of the lawn maintenance. Mr. Frost said yes.

Madam Chair Fitzpatrick brought this item back for a motion. Commissioner Nilsson made a motion that the Planning Commission forwards a positive recommendation to the City Council to approve Barlow West Preliminary Plat subject to meeting the Design Review Committees and Staff recommendations. Commissioner Harding seconded the motion. All in favor. Voting was unanimous.

5. **MARGETTS PARK – PRELIMINARY PLAT**

This property is located at 150 Phillips Street in an R-1-6 (Single Family Residential) and R-S (Residential Suburban) zoning districts. The applicant is MZ Enterprises.

Mr. Weaver said on June 2, 2016, the City Council approved the rezone for the Margetts Park Subdivision area by rezoning the proposed subdivision to R-1-6 minus the Ablazn Estate Subdivision, which remains R-S. The applicant, Craig North, is requesting preliminary plat approval for the Margetts Park Subdivision. The subdivision is adjacent to R-S zoned parcels to the west, R-1-8 zoning to the north, east and west, with Kaysville City across Phillips Street to the south.

The preliminary plat will consist of 10 lots on 3.56 acres with a density of 3.5 units per acre. The preliminary plat includes the property from the Ablazen Estates Subdivision, which is a one lot subdivision zoned R-S and has an existing home to be located on Lot 10 within the Margetts Park Subdivision plat. Lots 9 and 10 will remain R-S and meet the area requirements of the R-S zone. The other eight lots meet the requirements of the R-1-6 zone.

When the property was going through the rezone process, City Staff required the cul-de-sac street, 975 South, to turn south and connect to Phillips Street. After having discussions with the property owner of the existing home on 975 South, the applicant and the City Staff, connecting the streets was not determined to be the only option. City Staff agreed with the other parties to create two cul-de-sacs. A cul-de-sac with four R-1-6 lots will connect to Phillips Street and the cul-de-sac currently located on 975 South will be extended east to accommodate five lots. The existing cul-de-sac on 975 South will be

removed and the street straightened. This will assist in developing the vacant property in the Ablazn Estate Subdivision.

The Development Agreement that was approved with the rezone capped the number of lots at eight for the rezone subject property. The preliminary plat reflects eight lots for the property that was rezoned to R-1-6. The other two lots are outside the rezone subject property in an R-S zone. The developer is required to finish the improvements fronting on Phillips Street. The improvements include curb/gutter, sidewalk and asphalt. The existing cul-de-sac on 975 South will be removed and the street straightened as part of the required public improvements. A detention basin will not be required for the subdivision because there is no street connection through the subdivision and it is not needed. Each cul-de-sac will drain storm water into the existing storm drain systems.

The Margetts Park preliminary plat complies with all the requirements in the Development Agreement.

Staff recommends the Planning Commission approve the preliminary plat for the Margetts Park Subdivision subject to meeting all Staff requirements as outlined in Staff memorandums to the developer.

Machell Madsen, 135 E. 975 S., said she wanted to thank Craig North and the City for working with the residents.

Madam Chair Fitzpatrick brought back the item for a motion. Commissioner Weaver made a motion that the Planning Commission forwards a positive recommendation to the City Council subject to meeting all staff recommendations. Commissioner Pilny seconded the motion. All in favor. Voting was unanimous.

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

Meeting adjourned: 7:56 p.m.

Christy Wixom, Planning Commission Secretary