MEMBERS PRESENT: Chairman Brett Nilsson, Commissioners Dawn Fitzpatrick, Wynn Hansen, Clint Morris, Robert Van Drunen, Daniela Harding, and George Wilson

MEMBERS ABSENT: Vice Chair Tricia Pilny, Commissioner Brian Allen

OTHERS PRESENT: Staff: City Attorney Mason Kjar, City Planner Tim Watkins, Planner II Kem Weaver, City Engineer Steve Jackson, and Interim Secretary Kendall Welch

City Council Member: Tom Day

The work meeting was held in the Chambers Conference Room of the Layton City Center. Chairman Nilsson called the work meeting to order at 5:32 PM.

Chairman Nilsson asked if the Commission had any feedback or input regarding the combined Commission and Council work meeting that was held on March 12, 2019. Commissioner Wilson stated that he felt the joint meeting was helpful in highlighting items the Commission was unsure about and provided some much needed direction from the Council. Commissioner Harding agreed with Commissioner Wilson adding that she appreciated the discussion between the Commission and Council. Commissioner Harding stated that one of the major concerns she has had during the General Plan update process is the PRUD and how to address items of concern such as open space and homeowners associations. Commissioner Harding stated she felt these issues should continue to be pursued jointly and as a top priority with the Commission and Council.

Chairman Nilsson stated that he felt the Commission should diligently pursue a plan for these items to present to the Council for their consideration in order to make quicker progress. Commissioners Van Drunen and Fitzpatrick agreed. Commissioner Fitzpatrick added that the portions of the General Plan she is struggling with are related to PRUD and townhouses. Commissioner Fitzpatrick stated that while she understands the General Plan is separate from the proposed text amendments (PRUD and C-TH) the text amendments need to be solidified either before or with the General Plan as they have an impact on the overall master plan. Commissioner Fitzpatrick recommended that all three items (PRUD, C-TH, and General Plan) be presented to Council at the same time for adoption, preferably before her term is up at the end of June.

Tim Watkins, City Planner, stated that he had received feedback from Commissioner Allen who was unable to attend tonight’s meeting. Mr. Watkins stated that Commissioner Allen’s preference would be to work with the Commission to produce the documents for the Council to review as the State’s charge is to the Planning Commission.
Chairman Nilsson asked Councilmember Day if he would like to add anything to the discussion. Councilmember Day stated that in his personal opinion he believes the General Plan should be done jointly between Commission and Council in order to save time, as the Council may have concerns on a particular item the Commission does not and vice versa. Commissioner Fitzpatrick questioned if one joint work meeting between the Commission and Council was enough to discuss those concerns.

Chairman Nilsson gave a reminder to the Commission that the next joint work meeting with the Council was scheduled for April 9, 2019, at 5:30 PM, and apologized for being unable to attend. There was a brief discussion regarding the start time of the meeting, which will be finalized by Staff at a later date.

1. **T-MOBILE WIRELESS – CONDITIONAL USE** (5:41 PM)
Mr. Watkins explained that he would be presenting this item on behalf of Mr. Rypien. Mr. Watkins explained that this agenda item is for the expansion of an existing cell tower compound area located at the rear southeast corner of the Smith’s property located at 1170 East Gentile Street. Mr. Watkins shared current photos with the Commission of the existing site from the east, south, and west, and gave a brief summary of the plan sheets included in the agenda packet. Mr. Watkins added that additional antennas will be added to the existing tower in order to facilitate the co-location of an additional wireless carrier.

Commissioner Van Drunen asked for clarification on a statement made by Mr. Watkins regarding the reduction of parking stalls on the site. Commissioner Fitzpatrick stated that there were no parking spaces in the area of the proposed compound expansion. Commissioner Hansen added the staff report did not state there would be a loss of parking stalls.

Commissioner Hansen asked if this was an existing Verizon cell tower. Commissioner Fitzpatrick stated yes. Commissioner Hansen asked for clarification of the request stating that the only proposed changes to the tower itself will be the addition of antennas needed for T-Mobile to co-locate. Mr. Watkins stated yes.

Commissioner Fitzpatrick asked if the site was large enough to accommodate a future wireless carrier if another one wanted to co-locate to the tower, or if the future carrier would also require additional space. Mr. Watkins stated that he did not know. Chairman Nilsson asked City Attorney, Mason Kjar, to share his thoughts. Mr. Kjar stated that he manages the cell towers that are located on the City’s properties, explaining that typically these towers are not expanded due to their locations in parks or near government buildings, and expanding is very often impractical, in part due to potential conflicts with public uses. Mr. Kjar stated that on private land the expansion of the compound area would need to be agreed to jointly by the property owner and requestor. Commissioner Fitzpatrick asked if any precedents are set by continually allowing for such expansions. Mr. Kjar stated each would be evaluated on a case-by-case basis.
Commissioner Fitzpatrick asked if there would be any impact to the adjacent vacant R-M1 property. Mr. Watkins stated no.

Chairman Nilsson asked Mr. Kjar about other jurisdictions where he has seen a requirement for screening. Mr. Kjar stated that there are various camouflaging options available, but indicated the current City policy is not to require camouflaging at this time.

Chairman Nilsson asked if there were any additional questions or comments about this item. Hearing none, the Commission moved on to the next item.

2. FACER REZONE – A TO R-1-10 (5:47 PM)
Mr. Watkins explained that this is an undeveloped piece of property that is surrounded by residential development including a church to the south. Mr. Watkins explained that the request is to rezone the property to R-1-10 (Single Family Residential) and added that there is no concept plan for the potential subdivision at this time. Mr. Watkins added that if the rezone is approved the subdivision will need to meet the subdivision standards set forth in the City’s code.

Chairman Nilsson asked about the configuration of the property and if it’s current configuration made the property hard to develop. Mr. Watkins explained that the applicant would likely connect via the existing stubbed streets. Commissioner Fitzpatrick mentioned the engineering comments reflected that 530 would need to be a cul-de-sac. Commissioner Hansen added that 1500 would need to be connected as it is currently an empty field. City Engineer, Steve Jackson, confirmed previous statements made by the Commissioners, stating that 1500 would be connected as a thru street with a cul-de-sac placed on the end of 530.

Commissioner Fitzpatrick mentioned this project had quite a few notice signs placed on it. Mr. Watkins confirmed that three (3) signs had been placed on the property, one for each street frontage. Commissioner Fitzpatrick asked if there would be a Development Agreement to accompany the rezone. Mr. Watkins stated that a Development Agreement was not needed.

Chairman Nilsson asked if there were any additional questions or comments about this item. Hearing none, the Commission moved on the next item.

3. EVERGREEN ESTATES PRUD – PRELIMINARY PLAT (5:50 PM)
Kem Weaver, Planner II, stated that this PRUD is a small infill project and that the owner/developer is Darren Deru of Bulldog Sod. Mr. Weaver mentioned the property had previously been used to grow sod, and that the proposed PRUD would be for ten (10) cottage home sites. Mr. Weaver explained that during the rezone process the applicant anticipated having additional homes on the northwest portion of the lot, which were later removed due to the setback requirements from the slope outlined in the geotechnical report. Mr. Weaver added that the PRUD will have a private street with hammer head turn around, and that the Design Review Committee didn’t have very many comments regarding the proposed PRUD.
Commissioner Van Drunen asked why the applicant had chosen the cedar fencing material. Mr. Weaver stated that he didn’t know, and suggested it would be an appropriate question for the applicant. Commissioner Fitzpatrick commented the material choice was probably an aesthetic choice due to surrounding properties, evergreen trees, etc.

Mr. Watkins pointed out the open space and detention areas contained within the proposed PRUD, highlighting changes between the current and concept plan shown during the rezone process. Chairman Nilsson and Commissioner Hansen questioned the future plans for the property deemed to be not buildable per the geotechnical report. Mr. Weaver responded that the land would remain open, and that the existing home located in the A zoning district would remain. Chairman Nilsson asked if the open space requirement had been met. Mr. Weaver responded yes.

Commissioner Harding asked if the development was located in sensitive lands and if land drains would be required. Mr. Weaver stated that the development is not part of sensitive lands, and that land drains are not required.

Commissioner Hansen asked if this was the twin home rezone project the Commission saw about a year ago that had significant input from surrounding property owners. Mr. Watkins and Mr. Weaver both stated yes. Mr. Watkins added that the current plan now shows single family detached homes only and does not include twin homes. Commissioner Van Drunen asked if there would be an age restriction/requirement on this development. Mr. Weaver responded no.

Commissioner Harding asked if hardie board is considered a masonry material. Mr. Weaver responded that hardie board is a fiber cement board product. Commissioner Fitzpatrick commented that she felt masonry had become the new standard, and added it felt like the PRUD ordinance grants a bonus density for meeting the current standard rather than going beyond. Commissioner Harding asked if there would be any brick, rock, or stone installed. Mr. Weaver stated that some of the building elevations were shown to have rock, stone, or similar. Mr. Watkins added that he has seen a trend start to emerge for an all-siding look. Chairman Nilsson requested that this particular subject be marked for additional discussion at a later point in time.

Commissioner Harding asked for additional information on what the City code requires for amenities. Mr. Weaver provided a few examples of amenities including a pool, tennis court, basketball court, pickleball court, etc. Commissioner Harding asked why the buffer is being required around the proposed pickleball court. Mr. Weaver explained that the Design Review Committee felt the placement of the pickleball court may be too close in proximity to one of the proposed units, therefore they recommended pushing the court closer to the detention basin and adding trees for screening. Commissioner Harding closed by stating she feels the PRUD ordinance needs to be changed so that the front and rear yards are not taken into consideration when calculating the overall open space. Mr. Watkins reminded the Commission that the proposed text amendment is on hiatus while the General Plan is in process.
Chairman Nilsson stated that it looked like the units will have basements. Commissioner Fitzpatrick agreed. Commission Van Drunen asked for clarification on the location of Boynton Park.

Chairman Nilsson asked if there were any additional questions or comments on this item. Hearing none, the Commission moved on to the next item.

4. **HILL FARMS REZONE – A TO R-1-10 (PRUD) (WORK MEETING ONLY)** (6:03 PM)

Mr. Watkins stated that a public hearing for this item could be scheduled for April, and added that the applicant, John Warnick of Destination Homes, was available to answer questions. Mr. Watkins stated that this particular item serves as a good example for how a PRUD can be used to expand and improve existing tail systems, as the proposed PRUD would help to eliminate a large gap in the existing Kays Creek Trail. Mr. Watkins gave a brief overview of the proposed R-1-10 (PRUD) stating the overall project is approximately 14.81 acres, provides 32% open space, contains a total of fifty-two (52) units, and has a density of 3.51 units per acre. Mr. Watkins stated that the creek and trail will count towards the percentage of open space, and added that the location of a sewer line easement was the reason for park placement. Mr. Watkins stated the perimeter lots will either be front or side load garage configuration, and that the PRUD was being sought after for flexibility in design/layout more so than for a density bonus. Photos of the existing phases of Hill Farms were shown to the Commission.

Commissioner Harding asked for the developer to share his thoughts on the rear loaded garages. Mr. Warnick explained that Destination Homes is known for their rear loaded products and added that their previous projects have been very successful. Mr. Warnick stated that the rear loaded style allows for additional livable square footage and pushes traffic away from the front of the homes. Mr. Warnick added that the homeowners association (HOA) will maintain the alleys, and added that there have been no issues within the other six (6) phases of the development.

Commissioner Fitzpatrick asked if the housing products for this phase will be the same as other phases of Hill Farms. Mr. Warnick stated yes. Commissioner Fitzpatrick asked if this phase would be included as part of the overall HOA for the other six (6) phases. Mr. Warnick responded yes. Commissioner Fitzpatrick questioned if the development could be part of the existing HOA given that the remaining phases are located in Kaysville. Mr. Warnick stated that to his knowledge the new phase could be annexed into the existing HOA, and added that this was the preferred option as it would reduce the overall HOA costs. Chairman Nilsson asked if there was a board of directors, and asked for a total number of units in the development. Mr. Warnick responded yes, and added there are over two hundred units within all phases of the development.

Commissioner Fitzpatrick asked if the new phase geographically touches the other phases of the development. Mr. Warnick responded no, stating the new phase is separated from the existing development by three (3) lots which are privately owned. Commissioner Fitzpatrick asked if there would be any amenities is previous phases of the development which the new phase would not have access to. Mr. Warnick responded no, adding that Kaysville will need to complete the
sidewalks on Angel Street in order to provide connection. Commissioner Fitzpatrick asked if there could connection provided with a bridge over the creek. Mr. Warnick stated that an easement for a bridge could not be secured.

Commissioner Nilsson asked about secondary water. Mr. Warnick responded that he believed the secondary water is being addressed on the engineering plans for the development, and added the existing phases of Hill Farms have secondary water for open space common spaces. Commissioner Fitzpatrick stated that if the secondary water is being provided by Kays Creek Irrigation to expect damages to sidewalks, fences, etc.

Chairman Nilsson asked if there were any further questions or comments. Mr. Watkins asked Mr. Warnick to address the HOA and amenities. Mr. Warnick stated that at this point the HOA is self-maintaining due to the build out of the first six (6) phases. Mr. Warnick explained the HOA will maintain the private alleys, sidewalks, snow plowing, and landscaping in all common areas, adding that Destination Homes has tried to keep the lots as fee simple as possible. Chairman Nilsson asked if the developer still maintains a seat on the HOA. Mr. Warnick stated yes, but added that this phase will trigger the shift for homeowners to become full members of the board. Chairman Nilsson asked if each phase of the development will have their own representative on the board. Mr. Warnick provided a brief explanation as to how the HOA is currently set up, and added that it could work out that each phase have their own representative on the board. Chairman Nilsson asked if there was any issues with the City boundaries in relation to the HOA board. Mr. Kjar stated that enforcement of CC&R’s would be through the HOA, and added that there is no requirement for the entity to be based out of Layton. Commissioner Fitzpatrick asked about dissolution of the HOA. Mr. Kjar stated that this would need to be looked at further, as it depends on how the HOA was established. Mr. Warnick added that dissolution with this HOA is not likely.

Commissioner Fitzpatrick asked if the house colors would be the same as previous phases. Mr. Warnick responded that the colors would be similar to previous phases. Commissioner Harding asked what colors are typically avoided. Mr. Warnick responded that there will be an architectural board who will review proposals against a predetermined pattern book developed by design professionals that is recorded against the property. Chairman Nilsson noted that it is common for an HOA to have a subcommittee for architectural review. Mr. Watkins asked Mr. Warnick to explain the trend in exterior building materials, such as hardie board. Mr. Warnick explained that the current trend is for a white farmhouse and added that there are a variety of options such as hardie board, shiplap, board and batten, etc. which can be added for texture. Mr. Warnick explained that Phase 5 and Phase 6 are still in keeping with current design trends. Commissioner Fitzpatrick asked if the majority of the homes would be hardie board and stucco. Mr. Warnick stated that hardie board with masonry/brick is probably the most common.

Commissioner Hansen asked if the smaller footprint homes are contained within other phases of the development. Mr. Warnick stated the cottage homes can be found in Phases 2 and 3, north of Phillip and east of Angel Streets, as well as in Phase 4 south of 200, and Phases 5 and 6. Mr.
Warnick explained the cottage style homes are a way of adding affordability to the development. Commissioner Hansen asked if the cottage homes in other phases were spread throughout or if they were consolidated to a particular area. Mr. Warnick stated that the cottages homes are typically together to utilize the open spaces between them. Commissioner Hansen asked if the elevations of the homes would be the same as previous phases. Mr. Warnick stated yes, adding that there may be some new floor plans added.

Before moving onto the next agenda item, Chairman Nilsson asked if there were any comments regarding the draft minutes. Hearing no comments or concerns the Commission moved on to the next agenda item.

5. **PRUD RESEARCH FOR GENERAL PLAN UPDATE (WORK MEETING ONLY)** (6:26 PM)

Mr. Watkins stated that this item was put on the agenda in order to share some of the data on PRUD’s that had been collected over previous weeks.

Mr. Watkins shared with the Commission the 17th and Pearl PUD located in Denver, Colorado. Mr. Watkins explained the project is ten stories and was done as an overlay in order to shape new development so that it preserved and enhanced the existing historic building. Mr. Watkins stated the example was being shown in order to illustrate that a PRUD can be used for a wide variety of projects. Commissioner Hansen asked if it was the developer or the City who was responsible for driving this project forward. Mr. Watkins responded that it was primarily the applicant, adding there was substantial public outreach done on the project. Chairman Nilsson stated in his experience it is typically the developer who drives these types of projects forward as often these types of projects become the developer’s signature building. Mr. Watkins stated that in Layton the PRUD scope is limited to residential, not commercial, and added that it is up to City to define the scope of the PRUD. Commissioner Wilson stated that his preference would be to see something similar to the example shown located on the City’s arterial streets.

Mr. Watkins shared another example of a PUD in Saratoga Springs, Utah, where 30% of open space was traditionally required. Mr. Watkins stated that in this example the community found the 30% to be excessive, and alternatively adopted a standard requiring a minimum of 10% open space on every development. Commissioner Van Drunen asked for potential explanations as to why the open spaces are not being fully utilized. Mr. Watkins stated that likely the 30% requirement is excessive to the needs of the community, adding that more emphasis is now being placed on the quality of open spaces and amenities rather than the quantity. Commissioner Van Drunen asked how the open space calculations would be impacted if the front and side yard spaces were not taken into consideration. Mr. Watkins stated this issue was discussed during the last joint work meeting with the Commission and Council, and stated that with less open space required the average lot size increases and the design can move away from pad sites. Commissioner Van Drunen asked the other Commissioners how they felt those examples looked. Commissioner Fitzpatrick stated that she thought the example looked good so long as the developers don’t end up getting another lot.
Chairman Nilsson commented that he felt the Sarasota Springs PUD example had a strange layout. Commissioner Harding stated that she didn’t see any parks, pools, or other amenities in the example, adding that she feels developers aren’t addressing amenities or utilizing open space on their current projects. Commissioner Fitzpatrick suggested that the term ‘quality amenities’ needs to be further defined in the ordinance.

Mr. Watkins presented a third example to the Commission, a smaller scale version of Daybreak, called the Bradburn PRUD located in Westminster, Colorado. Mr. Watkins stated this is a multi-family, mixed-use project with an urban center feel on the northern end of the development, that transitions to condo/townhouse, followed by single family residential homes. Mr. Watkins stated that the total open space in the single family area is approximately 7.2%, and pointed out that detention is not handled on-site, rather on adjacent drainage areas. Commissioner Fitzpatrick pointed out that there was no open space included in the commercial area, and suggested that it would be nice if the open space was evenly distributed throughout the mixed areas of the project.

Commissioner Hansen asked if the ordinance was driving the look of this particular project, or if it was the developer of the project, suggesting that maybe the open space needs to be a range (i.e. 10%-30%) rather than a firm number. Mr. Watkins stated the current language of the draft states 10% or more. Commissioner Van Drunen questioned why a developer would choose to do more than the minimum, asking if there was any incentive to go beyond the minimum 10%. Mr. Watkins replied no, stating that it is inferred it may be necessary to go beyond the minimum in order to achieve usability of the open space. Due to time constraints, Chairman Nilsson commented that it appeared there needed to be additional work done on this item in order to address the Commission’s concerns.

6. C-TH AMENDMENTS (WORK MEETING ONLY) (6:52 PM)
Mr. Watkins briefly showed a few slides to the Commission illustrating different examples of manor/mansion homes. Commissioner Fitzpatrick stated that she is ok with the quantity of units typically found within a manor/mansion home, but questioned if there should be a limitation of maximum size of building. Mr. Watkins stated that additional research could be done in order to determine appropriate requirements.

Mr. Watkins gave a brief overview of edits made to the draft document, including language to help prevent saturation of detention areas, street tree spacing requirements within linear open spaces to help prevent negative impacts on buildings, as well as the addition of standards which apply to manor/mansion homes (i.e. height limitations when adjacent to R-S and R-1 zoning districts). Due to lack of time remaining Mr. Watkins stated other changes will need to be reviewed and discussed during the next meeting.

Mr. Watkins asked if the Commission felt comfortable scheduling the public hearing for this item. Commissioner Fitzpatrick stated that she had additional design standard questions pertaining to
this item. Chairman Nilsson suggested moving forward with April 9th date, as the public hearing could be continued.

The work meeting was adjourned at 6:58 PM.

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Kendall Welch,
Interim Planning Commission Secretary
LAYTON CITY PLANNING COMMISSION MEETING MINUTES  
MARCH 26, 2019

MEMBERS PRESENT:  Chairman Brett Nilsson, Commissioners Dawn Fitzpatrick, Wynn Hansen, Clint Morris, Robert Van Drunen, Daniela Harding, and George Wilson

MEMBERS ABSENT:  Vice Chair Tricia Pilny, Commissioner Brian Allen

OTHERS PRESENT:  Staff: City Attorney Mason Kjar, City Planner Tim Watkins, Planner II Kem Weaver, City Engineer Steve Jackson, and Interim Secretary Kendall Welch

City Council Member: Tom Day

The meeting was held in the City Council Chambers of the Layton City Center. Chairman Nilsson called the meeting to order at 7:04 pm. The Pledge of Allegiance was recited and an invocation was given by Commissioner Fitzpatrick.

APPROVAL OF MINUTES: NOVEMBER 27, 2018, DECEMBER 11, 2018, FEBRUARY 12, 2019, AND FEBRUARY 26, 2019 (7:07 PM)
Chairman Nilsson asked the Commission if there were any questions or comments on this item. Hearing none, Chairman Nilsson called for a motion to approve the regular and work meeting minutes for the November 27, 2018, December 11, 2018, February 12, 2019, and February 26, 2019 Planning Commission meetings.

Commissioner Hansen moved that the Planning Commission approve the regular and work meeting minutes for the November 27, 2018, December 11, 2018, February 12, 2019, and February 26, 2019 Planning Commission meetings as written. Commissioner Van Drunen seconded the motion. All Commissioners were in favor and the motion passed unanimously.

PUBLIC HEARING
Chairman Nilsson called for a motion to open Public Hearing. Commissioner Fitzpatrick moved to open Public Hearing. Commissioner Harding seconded the motion. All Commissioners were in favor and the motion passed unanimously.

1. FACER REZONE (7:07 PM)
The applicant, Blake Bastian, representing property owners: Sherman & Nancene Adams & Robert Facer – Trustees is requesting a rezone of approximately 5.796 acres located at 324 North 1425 East from A (Agriculture) to R-1-10 (Single Family Residential).
Tim Watkins, City Planner, explained that the request is to rezone the property from A (Agriculture) to R-1-10 (Single Family Residential) with a minimum lot size of 10,000 square feet. Mr. Watkins stated that the property is a remnant agriculture piece, which is located in southeast Layton. Mr. Watkins stated that surrounding properties are zoned R-1-10, and R-1-10 (PRUD), adding that one of the neighboring properties is a church. Mr. Watkins explained that subsequent development of the property will need to be in compliance with the City’s subdivision standards for lot configuration, streets, etc.

Mr. Watkins stated that Staff’s recommendation is the Planning Commission should forward a positive recommendation to the City Council to adopt Ordinance 19-11, approving the rezone request from A (Agriculture) to R-1-10 (Single Family Residential) based on consistency with the General Plan’s land use recommendation for this property.

Chairman Nilsson opened the item for questions from the Planning Commission. There were no questions or comments from the Commission.

Chairman Nilsson opened the item to the public for questions or comments.

David Cook, 329 North 1500 East, stated that he lives adjacent to the property. Mr. Cook asked how many units would be within the proposed development, stating that surrounding roads are in need of repair and will only get worse with additional traffic. Mr. Cook also asked about the connection of 1500. Mr. Watkins responded that if approved the design of the subdivision would need to meet the standards of the R-1-10 zoning district, which would be similar to the configuration of developed properties in the area. Mr. Cook stated that he heard a rumor the developer was proposing approximately seventeen (17) new homes. Mr. Watkins stated that a concept plan had not been submitted for the subdivision at this time.

City Engineer, Steve Jackson, stated that the anticipated street layout will include the connection of 1500 as a thru street adding that the termination of 530 will be a cul-de-sac. Mr. Jackson stated that the City had just completed a road pavement assessment which outlines the existing conditions of roads within the City, as well as needed repairs. Mr. Jackson offered to look into the issue of surrounding road conditions further. Mr. Cook also commented on the installation of fiber optics, stating that the work needs to be coordinated with the power company as service was recently disrupted in the neighborhood when a power line was accidentally hit. Mr. Jackson stated that these items are typically addressed with the contractors during a pre-construction meeting. Mr. Jackson advised Mr. Cook to contact the Engineering Department directly with any additional concerns.

Commissioner Hansen questioned if the existing asphalt paved driveway on 1500 was included in the rezone petition. Mr. Watkins stated that the driveway is included in the rezone area as it provide access to the existing home.

Chairman Nilsson asked the public if there were any further comments on this item.
Allison Thornley, 504 North 1500 East, stated that she is concerned with the existing standing water on the property, adding that she believes there to be an underground water source. Ms. Thornley asked if there was a plan for the drainage of water in order to avoid flooding to her backyard and house. Ms. Thornley also questioned who the developer of the project was. Mr. Jackson stated that he was not aware of the specific drainage issue being referenced, adding that it is common for agricultural properties to have drainage issues. Mr. Jackson stated that when the geotechnical report is done on the property those types of issues will be noted, along with any requirements for land drains. Chairman Nilsson asked the applicant, Blake Bastian, if he wanted to comment any further. Mr. Bastian stated that any items and requirements outlined in the geotechnical report will be followed.

Ms. Thornley asked if the subdivision had already been designed. Mr. Bastian stated that a preliminary plan for the subdivision has been drawn. Ms. Thornley asked Mr. Bastian if he could describe the proposed layout of the subdivision. Mr. Bastian stated that 1500 will be a thru connection and 530 will be a cul-de-sac. Ms. Thornley asked how many homes would be accessed of the cul-de-sac. Mr. Bastian stated the preliminary plan is approximately seventeen (17) homes, with fourteen (14) homes accessed from 530. Ms. Thornley asked if it would be possible for her or her neighbors to negotiate the purchase of land behind their homes. Mr. Bastian stated they could discuss the matter further and contact information could be exchanged after the meeting. Ms. Thornley asked if there would be any open spaces, parks, etc. Mr. Bastian responded no. Ms. Thornley asked if the old house would remain or be torn down. Mr. Bastian stated the house would be torn down.

Athena Facer, 3080 East 25 South, stated that she is heartbroken over the sale of the land. Ms. Facer stated that the recent death of her grandfather is forcing the sale of the land and that the sale is court ordered. Ms. Facer stated that any questions or concerns from neighboring properties could also be directed to her.

Jim McGinn, 447 North Isabella Drive, asked for the definition of single family residential. Mr. McGinn also asked the developer if the homes will be pre-built, or if they will be custom homes. Mr. Watkins explained that a single family detached home is allowed in the R-1-10 zoning district, adding that the minimum lot size is 10,000 square feet. Mr. Watkins shared the typical setbacks of the R-1-10 zoning district including front and rear yard setbacks of twenty-five feet (25’), and side yard setbacks of eight feet (8’). Mr. Bastian stated that the homes will be custom homes priced in the mid $400,000s. Mr. McGinn asked for estimated timing on the project. Mr. Bastian stated ideally he would like to begin construction at the end of summer.

Brett Baldwin, 1394 East St. Joseph Street, asked if there were any plans for stop signs on the thru connection of 1500. Mr. Jackson stated that there are no plans for stop signs at this time. Mr. Jackson added that the City’s traffic engineer could take a closer look at this issue in order to determine if any additional studies are needed. Mr. Baldwin stated that he believes some properties have not followed the City’s rules in regards to easements, fencing.
locations, colors, etc. Chairman Nilsson clarified that the purpose of the meeting was to determine if the zone change request was appropriate or not. Mr. Watkins added that building inspectors and code enforcement officers could look at those specific items of concern in order to determine compliance with code. Mr. Baldwin asked about the difference in grade between neighboring properties, wanting to know if the homes would be two (2) story or include basements, added that he is concerned with privacy. Mr. Bastian stated that the City’s code restricts building heights, and that all code standards will be followed. Mr. Baldwin asked if the existing fence will be replaced, stating that he would be willing to work with Mr. Bastian on the matter. Mr. Bastian stated fencing details had not been worked out yet.

Commissioner Harding asked if the property was considered sensitive lands and if a geotechnical report will be done. Mr. Bastian stated that the property is not in sensitive lands, adding that a geotechnical report is required for the subdivision.

**MOTION:** Chairman Nilsson called for a motion on the item. Commissioner Fitzpatrick moved that the Planning Commission forward a positive recommendation to the City Council to adopt Ordinance 19-11, approving the rezone request from A (Agriculture) to R-1-10 (Single Family Residential). The recommendation is based on consistency with the General Plan’s land use recommendation for this property. Commissioner Hansen seconded the motion. All Commissioners were in favor and the motion passed unanimously.

**PUBLIC REVIEW**

Chairman Nilsson called for a motion to close Public Hearing and open Public Review. Commissioner Van Drunen moved to close the Public Hearing and open Public Review. Commissioner Fitzpatrick seconded the motion. All Commissioners were in favor and the motion passed unanimously.

2. **EVERGREEN ESTATES PRUD – PRELIMINARY PLAT (7:34 PM)**

The applicant, Daren Deru, is requesting preliminary plat approval for the Evergreen Estates PRUD Subdivision located at approximately 2400 East Cherry Lane in the R-1-10 (PRUD) (Single Family Residential, Planned Residential Unit Development) zoning district.

Kem Weaver, Planner II, stated this item is for preliminary plat approval of the Evergreen Estates PRUD subdivision which is located at the intersection of Oak Ridge Drive and Cherry Lane. Mr. Weaver stated the property was rezoned to R-1-10 (PRUD) in June of 2018, and explained the current proposal is for ten (10) single family detached cottage style homes. Mr. Weaver stated the concept plan shown at the time of rezone for the PRUD included additional units, which were subsequently removed due to findings in the geotechnical report. Mr. Weaver also pointed out that the original concept plan illustrated twin homes, which are now proposed as detached cottage style homes. Mr. Weaver stated the proposed density of the project is 4.7 units per acre, which equates to a 36% density bonus.
A brief review of the Design Review Committee’s findings contained within the staff report was read to the Commission. Mr. Weaver stated the Design Review Committee recommended density bonus be given for the following items: additional open space provided (40% total), masonry materials provided on homes, recreational amenity provided (pickleball court), fencing provided, and street enhancement provided along Cherry Lane (cedar fencing and addition of street trees).

Mr. Weaver stated that Staff’s recommendation is for the Planning Commission to recommend the City Council grant preliminary plat approval of Evergreen Estates PRUD subject to meeting all DRC recommendations and Staff requirements as outlined in Staff memorandums to the developer.

Chairman Nilsson opened the item for questions from the Planning Commission.

Commissioner Harding asked if Mr. Weaver could provide clarification on the density bonus recommendation for additional open space. Mr. Weaver stated that the base open space requirement for single family detached PRUDs is 30%, and added that an additional 1% density bonus is given for each percentage over 30% with a maximum cap of 10%. Commissioner Harding asked if there was a specific reason for the private street contained within the development. Mr. Weaver stated that the private street provides for more room for open space and the homes themselves. Commissioner Harding asked if there will be an HOA. Mr. Weaver responded yes. Commissioner Van Drunen asked if private streets have different standards then public streets. Mr. Weaver stated yes, adding that private streets typically are not as wide as public streets. Commissioner Harding asked about the twenty foot (20’) buffer requirement found in the PRUD ordinance. Mr. Weaver confirmed the twenty foot (20’) buffer had been met, indicating the location of the required buffer on the plans.

Chairman Nilsson opened the item to the public for questions or comments. There were no comments from the public on this item.

MOTION: Chairman Nilsson called for a motion on the item. Commissioner Hansen moved that the Planning Commission recommend the City Council grant preliminary plat approval of Evergreen Estates PRUD subject to meeting all DRC recommendations and Staff requirements as outlined in Staff memorandums to the developer. Commissioner Van Drunen seconded the motion. All Commissioners were in favor and the motion passed unanimously.

Prior to the vote, Commissioner Morris asked if the private street would be wide enough to accommodate for garbage cans, snow removal, etc. Mr. Weaver stated the width of the private street is thirty-three feet (33’) which is sufficient for garbage and fire trucks.

Commissioner Harding asked if land drains would be required within this development. Mr. Weaver stated that the geotechnical report did not indicate any ground water found in test
pits or any soil conditions that would require land drains. The applicant, Darren Deru, confirmed there was no requirement for land drains.

3. **T-MOBILE WIRELESS – CONDITIONAL USE** *(7:47 PM)*

The applicant, David Carter of J5 Infrastructure Partners, representing T-Mobile Wireless is requesting conditional use amendment for a cell tower equipment compound expansion located at 1170 East Gentile Street in the CP-2 (Planned Community Commercial) zoning district.

Mr. Watkins stated this agenda item is for the expansion of an existing cell tower equipment compound area located at 1170 East Gentile Street, located in the rear southeast corner of the Smith’s parking lot. Mr. Watkins stated that in order to add additional antennas to the existing cell tower for co-location of cellular providers, the existing equipment compound area needed to be expanded for necessary power and related equipment.

Mr. Watkins outlined the following conditions, stating these conditions were recommended by Staff to be added to the existing terms of the original approval.

1. The equipment compound expansion area shall be enclosed by a six foot (6’) black vinyl coated chain-link fence with three (3) strands of barbed wire (for security purposes). Barbed wire must be installed vertically or be slanted toward the inside of the fenced area.
2. The equipment compound expansion area shall not exceed 539 square feet as shown on the site plan.
3. The T-Mobile antennas shall be installed in such a way that an additional cell service provider may also occupy the cell tower.
4. The existing cell tower must not be increased in height above one-hundred feet (100’).
5. The applicant must complete all of the conditions prior to receiving a certificate of occupancy.

Mr. Watkins stated that Staff is recommending the Planning Commission grant approval for the conditional use amendment for the cell tower equipment compound expansion subject to the applicant meeting all Staff and ordinance requirements.

Chairman Nilsson opened the item for questions for the Planning Commission.

Commissioner Hansen asked if the bulk of the new equipment would be located within the expanded equipment compound area. City Attorney, Mason Kjar, responded yes, stating that generators, backup generators, cooling equipment, and other related items are typically located within the equipment compound area.

Chairman Nilsson opened the item to the public for questions or comments. There were no comments from the public on this agenda item.
Commissioner Fitzpatrick asked if the original conditions of approval would remain in place. Mr. Watkins responded yes. Mr. Kjar confirmed the original conditions of approval would stay in effect.

**MOTION:** Chairman Nilsson called for a motion on the item. Commissioner Wilson moved that the Planning Commission grant approval for the conditional use amendment for the cell tower equipment compound expansion subject to the applicant meeting all Staff and ordinance requirements. Commissioner Harding seconded the motion. All Commissioners were in favor and the motion passed unanimously.

**ADJOURNMENT (7:53 PM)**
Chairman Nilsson called for a motion to close Public Review and adjourn. Commissioner Fitzpatrick moved to close Public Review and adjourn. Commissioner Van Drunen seconded the motion. All Commissioners were in favor and the motion passed unanimously.

The meeting adjourned at 7:54 PM.

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Kendall Welch,
Interim Planning Commission Secretary